

Recommended Conditions of Draft Plan of
Subdivision Approval 25T-201802

That this approval for the Revised Draft Plan of Subdivision, 25T-201802, prepared by A.T. McLaren Limited, Legal and Engineering Surveys., dated November 30, 2018 consisting of seven blocks for the development of a maximum of 687 dwelling units and one public street (Street 'A'); be received and endorsed by City Council with the following special conditions:

Development Planning, Heritage and Design

1. That **prior to servicing**, an Urban Design Brief shall be submitted to demonstrate compliance with the urban design policies of the Urban Hamilton Official Plan (UHOP). The Urban Design Brief shall include text, plans, details and / or elevations, as necessary, to demonstrate how the intent of the UHOP policies have been met to the satisfaction of the Director of Planning and Chief Planner. The Owner shall agree in writing to adhere to the Urban Design Brief and submit building plans for the blocks identified in the Urban Design Brief to the City's Urban Designer / Architect for review and approval prior to the application of the building permit.
2. That, **prior to an application for a building permit** for any street townhouse unit or units, the Owner submit a letter prepared by a qualified design professional verifying that the proposed building elevations are in conformity with the Urban Design Brief to the satisfaction of the Director of Planning and Chief Planner to ensure, amongst other matters, the appropriate development of each street townhouse block with respect to siting, built form, materials, and colours and landscaping in compliance with the approved Urban Design Guidelines.
3. That, **prior to preliminary grading and / or servicing**, the Owner shall submit a Tree Protection Plan (TPP) prepared by a tree management professional (i.e. certified arborist, registered professional forester or landscape architect) showing the location of driplines, edges of existing plantings, location of all existing trees and the methods to be employed in retaining trees to be protected to the satisfaction of the Director of Planning and Chief Planner.
4. That, **prior to preliminary grading** and the removal of trees, the Owner agrees that removal of any vegetation on the subject lands is to occur outside of the breeding bird season (March 31st to August 31st). However, in the event that vegetation removal is proposed during the restricted breeding period, the Owner shall have a qualified biologist conduct a nest search of

the vegetated area with City Natural Heritage Planning staff, prior to any work commencing. Accordingly, removal may occur if it is determined that active nests are not present in the proximity of the removal area, to the satisfaction of the Director of Planning and Chief Planner.

Development Engineering

5. That, **prior to preliminary grading**, the Owner agrees that they will be responsible for the design and construction of the stormwater outfall including any required energy dissipation features and will maintain the outfall entirely at the Owner's expense until it is assumed by the City including the following commitments:
 - a. to design the outfall such that it will accommodate the storm demands under the Ultimate Separation Plan as identified in the FSR;
 - b. to design the outfall such that it:
 - i. is self-cleaning;
 - ii. includes a structural design that is subject to peer review at the sole cost of the Owner;
 - iii. conforms to the findings in the fluvial geomorphologic and hydraulic conditions within the Redhill Creek at the proposed outfall location, and;
 - iv. shall be constructed with no open face construction for the installation of the drop shaft and outfall;
 - c. to design the drop structure such that it includes an internal energy dissipation cup, granite slab base, or equivalent internal method of energy dissipation including access to inspect and repair or replace the energy dissipation feature;
 - d. to submit an operation and maintenance manual as per the City of Hamilton Operation and Maintenance Report for Stormwater Management Facilities (May 2009);
 - e. to inspect and monitor the outfall from the outlet headwall (downstream of the drop structure) to the creek upon commencement of construction or pre-grading of the subject lands for a period of two years after full build-out of the development in accordance with the conditions of ECA issued by MOECC;

- f. to keep detailed logs concerning outfall performance and maintenance, including costs of cleaning and removal of sediment and to submit such logs to the City during pre-grading and construction activities in accordance with the operation manual;
- g. to construct, operate, and maintain all at the Owner's expense the outfall in a manner acceptable to the City, including any changes to conditions of the MOECC's approval, throughout servicing of all stages of draft plan registration and development of all registered lots and blocks, or until such time as determined by the Senior Director of Growth Management Division;
- h. to remove sediment from all outfall infrastructure attributed to development prior to release of the Owner's operation and maintenance responsibilities;
- i. consult with the Haudenosaunee Joint Stewardship Board on the design and implementation of the outfall;

all to the satisfaction of the Senior Director of Growth Management.

6. That, **prior to servicing**, the Owner shall address the following with respect to the proposed multi-unit apartment building at the south-east corner of the intersection of Reid Avenue South and Lang Street / proposed Street 'A' (Phase 1 on the Proposed Concept and Phasing Plan):
- a. include provisions in the engineering design and cost estimate schedules to control design and construct an appropriate on-site stormwater management system to control post-development flows from storms up to the 100-year storm event to the rate of a 2-year predevelopment storm event or to an allowable release rate subject to detailed design and demonstrate that the combined storm and sanitary demands from the development will not adversely impact the combined sewer on Reid Avenue South;
 - b. any new sewer infrastructure within the right-of-way that is required for the development shall be separated storm and sanitary sewers (no new combined sewers);
 - c. include provisions in the engineering design and cost estimate schedules to redirect all runoff from the development outlined in Phase 1 to the proposed separated storm and sanitary sewers on Lang Street once they are constructed as part of subsequent phases;

- entirely at the Owner's expense and all to the satisfaction of the Senior Director of Growth Management.
7. That, prior to servicing, the Owner agrees that any development beyond the proposed multi-unit apartment building at the south-east corner of the intersection of Reid Avenue South and Lang Street / proposed Street 'A' (including phases 2A, 2B, 3, and 4 on the Proposed Concept and Phasing Plan) shall not proceed until such a time as the stormwater outfall at Redhill Creek is constructed and in operation including all upstream sewer connections unless it can be demonstrated that a block can be developed such that it can be adequately serviced in the interim and converted to drain to the Redhill Creek outfall once constructed all to the satisfaction of the Senior Director of Growth Management.
 8. That, **prior to grading**, the Owner shall prepare and provide a Construction Management Plan that provides:
 - a. details on any construction activity that will encroach into the municipal road allowance such as construction staging, scaffolding, cranes etc;
 - b. location, maximum dimensions, and expected duration of any stockpiling;
 - c. identification of any required sidewalk and/or lane closures and the estimated length of time for such closures;
 - d. details on heavy truck routing;
 - e. pre-construction survey of surrounding roads and existing, adjacent properties that are outside the subject lands;
 - f. an adequate security for costs to repair and reconstruction to any of these roads that are damaged due to construction;
 - g. alternate arrangements of any City or school bus routing and stop locations that may be impacted;
 - h. details and locations of access routing to and from the proposed outfall and associated erosion control infrastructure at Red Hill Creek;
 - i. vehicular access routing to/from the outfall area at Redhill Creek;
- all to the satisfaction of the Senior Director of Growth Management.

9. That, **prior to servicing**, the Owner shall obtain approval from the MOECC for the proposed outfall to Redhill Creek to the satisfaction of the Senior Director of Growth Management.
10. That, **prior to servicing**, the Owner shall provide to the City a slope stability assessment for the valley slope, prepared by a qualified geotechnical engineer, to the satisfaction of the Senior Director of Growth Management.
11. That, **prior to servicing**, the Owner shall provide a detailed assessment of erosion mitigation measures for the outfall and connection to Red Hill Creek to the satisfaction of the Senior Director of Growth Management.
12. That, **prior to grading**, the Owner agrees to monitor the energy dissipation feature and the slope stability of the valley slope at the outfall to ensure that the existing slope and creek banks are not negatively impacted by the development and:
 - a. the monitoring plan will occur throughout the construction of the subdivision and for a period of not less than 2 years after the outfall is completed and all lot / blocks within the draft approved plan are fully developed;
 - b. in the event that a problem arises, the Owner further agrees to take the necessary remedial action as per monitoring report at their cost;
 - c. the engineering design and cost schedule for the drop structure and outfall shall include an estimate for provisional works that would be required for potential remedial works and that this shall be included in the security;
 - d. the security shall not be released or reduced until it has been demonstrated that there are no impacts as a result of development for a period of not less than 2 years after full buildout of the draft approved plan;

all to the satisfaction of the Senior Director of Growth Management.
13. That, **prior to servicing**, the Owner shall provide a maintenance and operations manual for the outfall that details how any future access of the downstream component shall be gained and the estimated costs associated with that access to the satisfaction of the Senior Director of Growth Management.
14. That, **prior to grading**, the Owner agrees to provide design alternatives for sidewalk alignments for consideration by City staff in order to determine the alignment that best suits the surround neighbourhood to the satisfaction of the Senior Director of Growth Management.

15. That, **prior to registration of the draft plan of subdivision**, 4.5 metre by 4.5 metre daylight triangles be established on the final plan of subdivision at the following intersections:
- a. Street A and Hayes Avenue;
 - b. Street A and Reid Avenue;
- all to the satisfaction of the Senior Director of Growth Management.
16. That, **prior to preliminary grading**, the Owner agrees in writing that the removal of all garages, playground equipment, or any structures will be at the sole cost to the Owner to the satisfaction of the Senior Director of Growth Management.
17. That, **prior to preliminary grading**, the Owner agrees that the stopping up and removal of the existing Lang Street will be at the sole cost to the Owner to the satisfaction of the Senior Director of Growth Management.
18. That, **prior to servicing**, the Owner be required to relocate, as required, any affected utility poles, hydrants, pedestals, hydro vaults, etc. on Reid Avenue, Hayes Avenue, Ayr Avenue, Bingham Road, and Lang Street, entirely at the Owner's expense, to the satisfaction of the Senior Director of Growth Management.
19. That, **prior to servicing**, the Owner agrees that any overhead utilities be relocated underground and to current design standards on any portions of existing streets that are to be reconstructed as part of this development to the satisfaction of the Senior Director of Growth Management.
20. That, **prior to preliminary grading**, the Owner shall provide prepare and provide dust control and street cleaning documentation that includes:
- a. methods for addressing issues concerning dust control and street cleaning (external roads included) throughout construction within the subdivision;
 - b. the first point of contact for matters related to dust control and street cleaning;
 - c. a schedule for regular cleaning of streets that is specific to the methods to be used;
 - d. the source of water for dust control and street cleaning, and;

- e. the contractor or agent to be used to undertake the works as well as contractor/agent contact information so that the City can direct the work to be completed as necessary;

all to the satisfaction of the Senior Director of Growth Management.

- 21. That, **prior to servicing**, the Owner agrees that there shall be no encumbrances due to the placement of utilities or street lighting infrastructure on the existing properties on Reid Avenue, Hayes Avenue, Ayr Avenue, Bingham Road, and Lang Street during any phase of construction to the satisfaction of the Senior Director of Growth Management.
- 22. That, **prior to servicing**, the Owner shall include provisions in the engineering design and cost estimate schedules to construct all required sidewalks with including wheel chair ramps that incorporate integrated tactile accessibility features as per RD-124 to the satisfaction of the Senior Director of Growth Management.
- 23. That, **prior to servicing**, the Owner shall include provisions in the engineering design and cost estimate schedules to construct any required watermain upgrades including, but not limited to a connection to the watermain on Queenston Road entirely at the Owner's expense to the satisfaction of the Senior Director of Growth Management.
- 24. That, **prior to grading**, the Owner shall submit a detailed Stormwater Management Report, prepared by a qualified professional engineer, to demonstrate:
 - a. how quality and quantity control criteria will be achieved in accordance with the MOE Stormwater Management Planning and design Manual – 2003 and the City of Hamilton Stormwater Management Policies;
 - b. that runoff will be treated to a Level 1 quality level (min. 80% TSS removal) on a block-by-block basis;
 - c. that runoff from the 100-year storm can be conveyed to the appropriate downstream outlet(s) without impacting the adjacent properties

all to the satisfaction of the Senior Director of Growth Management.

- 25. That, **prior to preliminary grading**, the Owner shall submit an overall subdivision grading plan including:
 - a. Demonstration of how the individual Blocks will be graded and drained in the interim development condition (post-servicing but

prior to Site Plan) such that they drain independently and do not adversely affect adjacent lands;

- b. each block shall have at least one (1) dedicated storm outlet including an overland flow route to the municipal system;

all to the satisfaction of the Senior Director of Growth Management.

26. That, **prior to registration of the draft plan of subdivision**, the Owner agrees to design, provide a cost estimate, and construct the storm water infrastructure from MH 17 to the limit of the proposed outfall infrastructure at Redhill Creek as shown in Drawing 9 of 14 from the Functional Servicing Report prepared by Amec Foster Wheeler, last revised April 2018, with 50 percent of the cost to be paid by the City subject to Council approval and the remainder of the cost to be funded by the developer to the satisfaction of the Senior Director of Growth Management.

27. That, **prior to registration of the draft plan of subdivision**, the Owner shall submit the necessary transfer deeds to the City's Legal Department to convey an easement on Block 6 of the draft plan with a width adequate to allow for maintenance operations of the infrastructure and not less than the minimum width in accordance with the Comprehensive Development Guidelines and Financial Policies Manual to the satisfaction of the Senior Director of Growth Management.

28. That, **prior to servicing**, the Owner shall include in the engineering design and cost estimate schedules provisions to install the following storm sewers that will convey local and external drainage towards the proposed outfall to Red Hill Creek including restoration of the entire width of the road surface from 1.0 m past the start of the service trench to 1.0 m past the end of the service trench:

- a. on Reid Avenue North from Ayr Avenue to Main Street East;
- b. on Hayes Avenue from Bingham Road to the proposed outfall to Red Hill Creek;
- c. on Bingham Road from Ayr Avenue to Hayes Avenue;

with 50 percent of the cost to be paid by the City subject to Council approval and the remainder of the cost to be funded by the developer all to the satisfaction of the Senior Director of Growth Management.

29. That, **prior to servicing**, the Owner shall provide a driveway location/on-street parking plan showing the following:

- a. on-street parking for 40% of the total street-facing dwelling units (including existing dwellings);
- b. on-street parking for 40% of the proposed street-facing dwelling units with their location limited to the side of each street adjacent to the proposed development;
- c. driveways, driveway ramps, and curb openings for all lots;
- d. the pairing of driveways;
- e. where lots in the subdivision abut a park entrance or a public walkway; and;
- f. 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.

30. That, **prior to preliminary grading**, the Owner shall complete a CCTV video inspection of existing combined sewer mains prior to construction entirely at the Owner's expense as follows:

- a. Reid Avenue – from Queenston Road to Ayr Avenue;
- b. Bingham Road from Hayes Avenue to Ayr Avenue;
- c. Hayes Avenue from Bingham Road to Eastvale Place;
- d. Lang Street from Reid Avenue to Hayes Avenue for any portion of the street not being replaced in the first phase;

to the satisfaction of the Senior Director of Growth Management.

31. That, **prior to servicing**, the Owner shall provide a security in the amount of \$5,000 for a post-construction CCTV video inspection of existing sewer mains upon the completion of all servicing works that corresponds to the pre-construction CCTV video survey required in Condition 30 entirely at the Owner's expense in order to identify any damages and the Owner further agrees to repair those damages all to the satisfaction of the Senior Director of Growth Management.

32. That, **prior to servicing**, the Owner shall demonstrate how services will be maintained to existing properties in the interim through each phase of development and provide the full detailed servicing design for each phase to the satisfaction of the Senior Director of Growth Management.

33. That, **prior to preliminary grading**, the Owner agrees at his sole cost to prepare a pest control plan, focusing on rats and mice, which shall be developed and implemented for any demolition, and for the construction / development phase of the project and continue until the project is complete. The plan must outline steps involved in the potential control of vermin during all the development / construction and must employ integrated pest management practices. The plan must be formulated by a professional exterminator licensed by the MOECC and shall include monitoring, removing potential food and water sources, and eliminating or preventing areas for harbourage. The plan can include trapping and / or baiting but special consideration should be aimed at ensuring any / all bait stations are tamper resistant and deceased rats are removed to prevent secondary poisoning of other animals. The plan is to be implemented when work activity at the site begins including but not limited to demolition, bush clearing, grading etc. This requirement is made under Section 26 of the Hamilton Property Standards By-law, No. 10-221 and to the satisfaction of the Medical Officer of Health.
34. That, **prior to registration of the plan of subdivision**, the Owner shall show on the final plan a 0.3m reserve along the east side of Street A from the south limit of Block 5 frontage on Street A to Hayes Avenue to the satisfaction of the Senior Director of Growth Management.

Hamilton Conservation Authority

35. That **prior to preliminary grading**, the applicant obtain a permit from the Hamilton Conservation Authority under Ontario Regulation 161/06 (HCA's Regulation of Development, Interference with Wetlands and Alterations to Shorelines and Watercourses) made under the Conservation Authorities Act, R.S.O. 1990 prior to any development within the HCA regulated area.
36. That **prior to preliminary grading**, the applicant prepares and implements a lot grading and drainage plan including appropriate sediment and erosion controls to the satisfaction of the Hamilton Conservation Authority.
37. That **prior to preliminary grading**, the applicant prepares and implements a stormwater management plan providing water quality control to the Enhanced Level for the subject property to the satisfaction of the Hamilton Conservation Authority.
38. That **prior to preliminary grading**, the applicant updates the Redhill Creek restoration vegetation inventories to accurately reflect current conditions and to aid in the development of the access, staging and construction plans for the stormwater outfall construction to the satisfaction of the Hamilton Conservation Authority.

39. That **prior to preliminary grading**, the applicant prepares a tree/vegetation protection plan and restoration plan to address any vegetation removal required for stormwater outfall construction to the satisfaction of the Hamilton Conservation Authority.
40. That **prior to preliminary grading**, the applicant completes an erosion analysis for the proposed stormwater outfall to the satisfaction of the Hamilton Conservation Authority.

Transportation Planning Services

41. That, **prior to servicing**, the owner shall provide plans with a known, useable metric scale; dimensions of driveways, roads, sidewalks, and all pertinent information as per the City of Hamilton guidelines.
42. That, **prior to servicing**, the updated Traffic Impact Study will be to the satisfaction of the Director, Transportation Planning and Parking, Planning and Economic Development Department.
43. That, **prior to servicing**, a Neighbourhood Traffic Calming Study be submitted to the satisfaction of the Director, Transportation Planning and Parking, Planning and Economic Development Department;
- a. a Neighbourhood Traffic Calming Study is to be conducted and recommendations implemented;
 - b. this study and any modifications to the related municipal infrastructure will be fully at the expense of the applicant;
 - c. it is the applicant's responsibility to contact the Superintendent of Traffic Engineering, who will provide further details on the scope and requirements;
 - d. the traffic consultant will confirm the scope with the Superintendent of Traffic Engineering, Traffic Operations and Engineering as well as the Project Manager of Transportation Planning Development Approvals, Planning & Economic Development (with cc to tplanning@hamilton.ca) in Traffic Engineering prior to submission.
44. That, **prior to servicing**, the cross-section of Street 'A' which is the L-shaped ROW for municipal road connection between Reid Avenue South and the Bingham Road / Hayes Avenue intersection;
- a. shall provide a design that adequately incorporates the Hamilton Pedestrian Mobility Plan with regards to the needs of pedestrians with disabilities.
 - b. shall provide acceptable pedestrian mobility needs;
 - c. does not set precedence in any other developments or proposals;
 - d. the centreline of the north-south section of Street 'A' aligns with and be parallel to the centreline of Bingham Road;

- e. the intersection of Street 'A' with Bingham Road, and Hayes Road be formed in a regular grid style;
- f. all to the satisfaction of the Director, Transportation Planning and Parking, Planning and Economic Development Department.

45. That, **prior to servicing**, the location and design of suitable cycling and pedestrian facilities and trail connection(s);

- a. the design and construction are fully at the expense of the applicant;
- b. all to the satisfaction of the Director, Transportation Planning and Parking, Planning and Economic Development Department.

Forestry and Horticulture Section, Public Works Department

46. That, **prior to preliminary grading and / or servicing**, the Owner shall submit a Tree Management Plan and the payment of all applicable fees, all to the satisfaction of the Forestry and Horticulture Section, Public Works Department.

Canada Post

47. That **prior to registration**, the Owner shall include on all offers of purchase and sale, a statement that advises the prospective purchaser:

- i) That the home / business mail delivery will be from a designated Centralized Mail Box.
- ii) That the developers / owners be responsible for officially notifying the purchasers of the exact Centralized Mail Box locations prior to the closing of any home sales.

48. That **prior to registration**, the Owner agrees to:

- i) work with Canada Post to determine and provide temporary suitable Centralized Mail Box locations which may be utilized by Canada Post until the curbs, boulevards and sidewalks are in place in the remainder of the subdivision.
- ii) install a concrete pad in accordance with the requirements of and in locations to be approved by Canada Post to facilitate the placement of Community Mail Boxes.
- iii) identify the pads above on the engineering servicing drawings. Said pads are to be poured at the time of the sidewalk and/or curb installation within each phase of the plan of subdivision.

- iv) determine the location of all centralized mail receiving facilities in co-operation with Canada Post and to indicate the location of the centralized mail facilities on appropriate maps, information boards and plans.
 - v) Maps are also to be prominently displayed in the sales office(s) showing specific Centralized Mail Facility locations.
49. Canada Post's multi-unit policy, which requires that the owner/developer provide the centralized mail facility (Lock Box Assembly) at their own expense (less than 100 units will require a front loading Lock Box Assembly & more than 100 units will require a rear loading Lock Box Assembly which will require a mail room) will be in affect for buildings and complexes with a common lobby, common indoor or sheltered space.

Union Gas

50. That the owner / developer provide to Union Gas the necessary easements and / or agreements required by Union for the provision of gas services for this project, in a form satisfactory to Union.

Director of Growth Planning

51. That **prior to registration**, the Director of Planning and Chief Planner must be satisfied that Conditions (1) to (46) inclusive, have been carried out to his satisfaction, with a brief but complete statement indicating how each condition has been satisfied.

NOTES FOR SUBDIVISION:

1. 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.