

### **Special Conditions for Draft Plan of Subdivision Approval for 25T-201902**

That this approval for the Draft Plan of Subdivision, 25T-201902, prepared by IBI Group and certified by S. Dan McLaren, O.L.S., dated December 11, 2018 (Revision 3, dated June 27, 2019), consisting of 54 lots for semi-detached dwellings (Lots 1-54) and one public road (Street A) be received and endorsed by City Council with the following special conditions:

#### **Development Engineering:**

1. That, **prior to preliminary grading**, the Owner agrees, to install a 1.8 m temporary fast fence around the perimeter of the site and agrees to maintain the fence for the full duration of servicing and house construction, to the satisfaction of the Senior Director, Growth Management.
2. That, **prior to preliminary grading**, the Owner shall submit a detailed Stormwater Management Report prepared by a qualified professional engineer, in accordance with the City of Hamilton Drainage Policies, City of Hamilton Comprehensive Development Guidelines and The MECP Stormwater Management Planning and Design Manual (2003), and considering the following parameters:
  - a. The 100-year post development flow from the subject site including any external drainage shall be controlled to 2-year predevelopment level. Any external drainage through the subject site must be considered in the stormwater quantity control storage system;
  - b. The maximum water elevation in the superpipe storage system during 100-year event should not exceed the obvert of the superpipe storage system; and,
  - c. Considering an appropriate technique in the SWM design to demonstrate level 1 quality control;all to the satisfaction of the Senior Director, Growth Management.
3. That, **prior to servicing**, the Owner prepares and submits a driveway location/on street parking plan showing:
  - a. the location of driveways based on the premise of achieving on-street parking for 40% of the total dwelling units;
  - b. the driveways ramps and curb openings for all lots;
  - c. the pairing of driveways;

- d. where lots in the subdivision abut a park entrance or a public walkway, as the case may be; and,
- e. the location of transit pads, community mailbox pads and fire hydrants, where the location has been determined by the appropriate authorities,

to the satisfaction of the Senior Director, Growth Management.

- 4. That, **prior to servicing**, the Owner shall indicate all driveway locations on the engineering plans for all lots, and that no driveway shall be located within a daylight triangle. Further, all driveway locations at bends and corners shall be situated to ensure that the driveways are within their own frontages, to the satisfaction of the Senior Director, Growth Management.
- 5. That, **prior to servicing**, the Owner shall submit a pre-construction video inspection report for the existing sanitary and storm sewers on Bobolink and Hummingbird Lane. The Owner further agrees to provide a post-construction CCTV video of these existing sewers promptly upon the completion of the underground servicing construction, to the satisfaction of the Senior Director, Growth Management.
- 6. That, **prior to servicing**, the Owner agrees to provide 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 be completed as necessary, to the satisfaction of the Senior Director, Growth Management.
- 7. That, **prior to servicing**, the Owner agrees, at their expense, to install a 1.5 m concrete sidewalk along the south side of Bobolink Road from the existing sidewalk at the east limit of the subdivision to Hummingbird Lane including the removal and disposal of the existing sidewalk and the installation of a 1.5 m concrete sidewalk on both sides of Street "A" (Mia Drive), to the satisfaction of the Senior Director, Growth Management.
- 8. That, **prior to servicing**, the Owner agrees to reconstruct Bobolink Road from Cardinal Drive to Hummingbird Lane, including a complete asphalt overlay at their expense to the satisfaction of the Senior Director, Growth Management.
- 9. That, **prior to servicing**, the Owner agrees to prepare a geotechnical report and agrees to implement the report's recommendations, to the satisfaction of the Senior Director, Growth Management.

10. That, **prior to servicing**, the Owner agrees to install a 1.5 m high black vinyl coated heavy duty chain link fence along the rear yards of Lots 29 to 54, to the satisfaction of the Senior Director, Growth Management.
11. That, **prior to servicing**, the Owner agrees to pay all costs associated with the installation of a catch basin and swale, including all restoration works within the existing park to the east to the satisfaction of the Senior Director, Growth Management.
12. That, **prior to registration of the plan of subdivision**, the Owner agrees, at their expense, to remove, relocate or replace, as required, all affected utility poles, hydrants, pedestals, hydro vaults etc., on Hummingbird Lane and Bobolink Road, including the existing pole line located within the rear yards of Lots 45 to 54 to the satisfaction of the Senior Director, Growth Management.
13. That, **prior to registration of the plan of subdivision**, the Owner agrees that where back to front drainage is proposed that a combined minimum setback of 2.0 m shall be provided between the affected dwellings. Further the combined 2.0 m minimum setback shall apply where emergency overland flow routes are proposed between dwellings, to the satisfaction of the Senior Director, Growth Management.
14. That, **prior to registration of the plan of subdivision**, the Owner agrees that 4.57 m x 4.57 m daylight triangles shall be established on the final plan of subdivision at the following locations:
  - a. Mia Drive and Bobolink Road;
  - b. Bobolink Road and Hummingbird Lane (southeast corner); and,
  - c. Mia Drive and Hummingbird Lane,all to the satisfaction of the Senior Director, Growth Management and the Manager of Transportation Planning.

#### **Development Planning:**

15. That, **prior to preliminary grading and / or servicing**, the following warning clause be identified in all offers of purchase and sale or lease agreements:

**Caution:** Notwithstanding current surface conditions, the property has been determined to be an area of archaeological potential. Although an archaeological assessment is not required by the City of Hamilton, the proponent is cautioned that during development activities, should deeply buried archaeological materials be found on the property the Ontario Ministry of Tourism, Culture and Sport (MTCS) should be notified immediately (416.314.7143). In the event that human remains

are encountered during construction, the proponent should immediately contact both MTCS and the Registrar or Deputy Registrar of the Cemeteries Regulation Unit of the Ministry of Small Business and Consumer Services (416.326.8392).

16. That, **prior to preliminary grading and / or servicing**, a signed Record of Site Condition (RSC) be submitted to the City of Hamilton and the Ministry of the Environment and Climate Change (MOECC). This RSC must be to the satisfaction of the Director of Planning and Chief Planner, including a notice of acknowledgement of the RSC by the MOECC, and submission of the City of Hamilton's current RSC administration fee.
17. That, **prior to preliminary grading and / or servicing**, the Owner shall prepare a Tree Preservation / Enhancement Plan, showing the location of drip lines, edges and existing plantings, the location of all existing trees and the method to be employed in retaining trees required to be protected; and to implement all approved tree savings measures. The implementation of the Plan shall include a Verification of Tree Protection Letter, prepared by a qualified professional, all to the satisfaction of the Director of Planning and Chief Planner.
18. That, **prior to registration of the plan of subdivision**, the Owner shall provide a Landscape Plan prepared by a certified Landscape Architect to the satisfaction of the Director of Planning and Chief Planner. The Landscape Plan is to show the placement of compensation trees required for any tree removals completed in accordance with the approved Tree Protection Plan. The minimum size of trees required for compensation are to be in accordance with the City's Tree Protection Guidelines (revised October 2010). In the event that the owner cannot provide for all trees on site, the owner shall provide cash-in-lieu for the remaining trees.
19. That, **prior to registration of the plan of subdivision**, and at the Owner's expense, the Owner shall erect and maintain a plaque on the property displaying graphic and textual descriptions of the site's history and former use, buildings, and structures pertaining to Cardinal Heights Middle School, to the satisfaction of the Manager of Development Planning, Heritage and Design.

#### **Forestry and Horticulture Section, Public Works Department:**

20. 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.

#### **Hamilton Conservation Authority:**

21. That **prior to preliminary grading and / or servicing**, the applicant prepares a full Stormwater Management Report and revised set of engineering drawings to the satisfaction of the Hamilton Conservation Authority.

**Public Health Services:**

22. That, **prior to preliminary grading**, the Owner agrees at their 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, to the satisfaction of the Director of the Health Protection Division, Public Health Services Department.

**Transportation Planning:**

23. That, **prior to servicing**, the road allowance for Street 'A' be established as 20.0 m; and dimensioned on the Draft Plan of Subdivision; all to the satisfaction of the Manager of Transportation Planning.
24. That, **prior to servicing**, pavement marking drawings will be submitted to the satisfaction of the Manager of Transportation Planning as well as Manager of Transportation Operations.

**Canada Post:**

25. That **prior to registration of the plan of subdivision**, the Owner shall include on all offers of purchase and sale, a statement that advises the prospective purchaser:
- a. That the home / business mail delivery will be from a designated Centralized Mail Box.
  - b. 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.
26. That **prior to registration of the plan of subdivision**, the Owner agrees to:
- a. 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.
  - b. 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.
  - c. 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.

- d. 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.
  - e. Maps are also to be prominently displayed in the sales office(s) showing specific Centralized Mail Facility locations.
27. 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.

**Rogers Communication Inc.:**

28. That **prior to registration of the plan of subdivision**, the owner / developer provide to Rogers Communications Inc. ("Rogers") the necessary easements and / or agreements required by Rogers for the provision of telecommunications services for this project, in a form satisfactory to Rogers.

**Union Gas:**

29. That **prior to registration of the plan of subdivision**, the owner / developer provide to Enbridge Gas Inc.'s operating as Union Gas, ("Union") the necessary easements and / or agreements required by Union for the provision of gas services for this project, in a form satisfactory to Union.

**NOTES TO DRAFT PLAN APPROVAL**

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 two months before the draft approval lapses.

**Recycling and Waste Disposal:**

2. This property is eligible for municipal waste collection service subject to meeting the City's requirements indicated by the Public Works Department and subject to compliance with the City's Solid Waste Management By-law 09-067, as amended. The property owner must contact the City by email [wastemanagement@hamilton.ca](mailto:wastemanagement@hamilton.ca) or by telephone 905-546-CITY (2489) to request waste collection service. Waste Management staff will complete a site visit to determine if the property complies with the City's waste collection requirements.