

**Special Conditions for Draft Plan of Subdivision Approval for 25T-201711**

That this approval for the Draft Plan of Subdivision, 25T-201711, prepared by Glen Schnarr & Associates Inc., and certified by S.D. McLaren, O.L.S., dated November 6, 2018, consisting of 50 lots for single detached dwellings (Lots 1-50), one temporary multi-use path block (Block 51), ten residential reserve blocks (Blocks 52-61), two residential reserve blocks for a temporary stormwater management pond (Blocks 62-63), one block for a temporary stormwater management pond and future road (Block 64), three road widenings (Blocks 65-67), two 0.3 m reserve blocks (Blocks 68-69), and a public road (Street 'A'), be received and endorsed by City Council with the following special conditions:

**Development Engineering:**

1. The Owner shall agree to include in all agreements of purchase and sale and/or lease of residential units, the following warning clauses:

"On-street, public parking in the surrounding neighbourhood will be limited and cannot be guaranteed in perpetuity. Garage space for each single detached dwelling is provided and intended for the purposes of parking one vehicle. The size of the driveway is further restricted to a maximum width of 4.5 metres and curb cuts for double car garages will not be granted by the City of Hamilton. It is the home owner's responsibility to ensure that their parking needs can be accommodated.";

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

2. The Owner shall agree to include in all agreements of purchase and sale and/or lease of residential units, the following warning clauses:
  - a. "All Purchasers are advised that the temporary turning circle located at the south westerly terminus of Street 'A' will be removed, and the roads extended with the development of the adjacent lands to the west.
  - b. "All Purchasers are advised that the road between Barton Street and Street 'A' is temporary and will be removed when the permanent road connections to Street 'A' are extended and connected with roads to the west at the time of the adjacent lands being developed. Upon removal of the temporary street, these lands will be redeveloped for single detached dwellings."
  - c. "All Purchasers are advised that the stormwater management pond adjacent to the rear yards of Lots 32 to 49 is temporary and shall be removed in the future once the permanent stormwater pond is

constructed. The lands of the temporary stormwater pond will be developed as residential lots and an extension of Street 'A' in the future."

- d. "All Purchasers are advised that the walkway between Street 'A' and Highway No. 8 is a temporary walkway and shall be removed once the permanent road connections are provided through the future development to the west."
  - e. "Purchasers of Lot 1 are advised that an easement is required on the front southwest corner the lot equivalent to the portion of the 4.5 m by 4.5 m daylight triangle and will be registered on title and remain until the interim road is no longer required and the temporary road right-of-way is stopped up and closed. The owner is restricted from planting, constructing, parking, or otherwise placing any item above 0.5 m in height within the easement."
  - f. "Purchasers of Lots 3 to 25 are advised that the rear yard drainage system includes an emergency overland flow route that generally drains south to north. No obstructions, structures, or modifications of the approved final grading shall be permitted within the rear 2.0m of these Lots."
  - g. "Purchasers of Lot 50 are advised of the presence of an emergency overland flow route along the east side of the property. The emergency overland flow route is intended to accommodate drainage from upstream Lots 3 to 25. No obstructions, structures, or modifications of the approved final grading shall be permitted within 3.0 m of east side of this Lot."
  - h. "The Purchasers of Lots 26, 39, 40, 41, 42, 47, & Block 62 are advised that the driveway aprons within the municipal boulevard are restricted to a maximum width of 3.0m. This restriction is to protect and maintain the availability of on-street parking. No widening of the driveway aprons or curb depressions within the municipal boulevard will be permitted."
  - i. The final approved wording of all warning clauses shall be included in the agreements of purchase and sale and/or lease and registered on title, all to the satisfaction of the Senior Director, Growth Management.
3. That, **prior to registration**, the Owner agrees, at their expense, to remove, relocate, as may be required, all affected utility poles, hydrants, pedestals, hydro vaults, etc., on Barton Street and Highway No. 8, to the satisfaction of the Senior Director, Growth Management.
4. That, **prior to registration**, the Owner agrees, at their expense, to provide the City with an easement of at least 10 metres wide (across Block 89 on registered plan 62M-1164) for the proposed temporary storm sewer and overland flow route

between Barton Street and Arvin Avenue, to the satisfaction of the Senior Director, Growth Management.

5. That, **prior to registration**, 4.50 m by 4.50 m daylight triangles be established on the final plan of subdivision at the following locations:
  - a. Street 'A' at the inside corner Lot 48;
  - b. Street 'A' at the inside corner by Block 56; and,
  - c. Intersection of Street 'A' and the south end of the Temporary Road connection to Barton by Block 58/Lot 1;

all to the satisfaction of the Manager of Transportation Planning and the Senior Director, Growth Management.

6. That, **prior to registration**, the Owner acknowledges and agrees to dedicate an easement on the front southwest corner of Lot 1 equivalent to the portion of the 4.5 m x 4.5 m daylight triangle that would be required from Lot 1. The easement shall be registered on title and remain until the interim road is no longer required and the temporary ROW is stopped up and closed. The easement would restrict the home owner from planting, constructing, parking, or otherwise placing any item above 0.5m in height within the designated area. The easement shall be in favour of the City and will be discharged when the temporary road lands are returned to the Developer, all to the satisfaction of the Senior Director, Growth Management.
7. That, **prior to registration**, adequate daylight/sightline triangles be established on the final plan of subdivision at the intersection of Barton Street and the temporary Road connection to Street 'A', to the satisfaction of the Director, Transportation Planning and Senior Director, Growth Management.
8. That, **prior to registration**, the plan shall include Blocks 65 and 66 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 Barton Street at 22 metres from the center line of the original road allowance, to the satisfaction of the Manager of Transportation Planning and the Senior Director, Growth Management.
9. That, **prior to registration**, the plan shall include Block 67 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 Highway No. 8 at 18 metres from the center line of the original road allowance, to the satisfaction of the Senior Director, Growth Management.
10. That, **prior to registration**, the Owner shall agree to transfer to the City and designate as public highway Blocks 58, 59, 60 and 61 for the purpose of a temporary road connection between Barton Street and Street 'A'. The Owner shall

construct all temporary works at their cost. The City agrees to stop-up, close and transfer Blocks 58, 59, 60 and 61 back to the Owner, for nominal consideration, when the lands are no longer required by the City and the Owner has demonstrated that all costs related to the removal of the temporary roads, sewers, watermains utilities, etc. have been paid.

- a. Notwithstanding, the City shall not be obligated to return the temporary road Blocks 58, 59, 60 and 61 until the future ROW (Block 64) has been dedicated, all permanent road connections to the west are established, all removals completed, all restoration, including Barton Street and Street 'A' has been completed, and the grades have been established as per the approved grading plan;

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

11. That, **prior to registration**, the Owner shall agree to transfer to the City and designate as public highway Blocks 53 and 55 for the purpose of a temporary turning circle at the southeast limit of Street 'A'. The Owner shall remove the temporary turning circle at such time when the City deems that the turning circle is not longer required. Upon removal of the temporary turning circle and all associated restoration to the satisfaction of the City, The City agrees to proceed with the transfer of Blocks 53 and 55 back to the Owner. The Owner shall pay all associated costs with the temporary turning circle removal and construction of the ultimate road connections, including the extension of services, up to the west limits of the site to the west. No building permits shall be issued for the lots or blocks affected or encumbered by the temporary turning circle until it is not longer deemed necessary by the City, removed, and all restoration is completed, all to the satisfaction of the Senior Director, Growth Management.
12. That, **prior to registration**, the Owner shall submit the necessary transfer deeds to the City's Legal Department to convey Blocks 51 & 52 to accommodate the interim walkway between Street 'A' and Highway No. 8. Further, the City shall agree to return Block 51 & 52 to the Owner after the completion of the ultimate road connections to the west, removal of the temporary works, and completion of all restoration within the Highway No. 8 right of way, all to the satisfaction of the Senior Director, Growth Management.
13. That, **prior to registration**, the Owner shall agree to dedicate sufficient ROW (Block 64) to the City upon request, and within 45 days of receiving notice, to establish the permanent north connection between Street 'A' and the lands to the west. The Owner shall provide a security to the City in the form of an irrevocable letter of credit for the extension of Street 'A', including all above ground and underground services, all to the satisfaction of the Senior Director, Growth Management.

14. That, **prior to registration**, the Owner acknowledges and agrees to undertake all liability and maintenance, at their expense and in perpetuity, all temporary works, including the temporary road connection to Barton Street (including sewers, watermain, utilities, etc.), temporary SWM pond, temporary storm outlet works, temporary walkway to Highway No. 8, etc. until the future development to the west is completed and both permanent road connections to the west property limit are constructed. Furthermore, the assumption of the permanent roads and undergrounds will not occur until all the temporary works are removed, all associated restoration has been completed, and the required maintenance periods on the extended permanent roads has ended, all to the satisfaction of the Senior Director, Growth Management.
15. That, **prior to the registration**, the Owner acknowledges and agree to prepare, submit and obtain approval of a decommissioning plan and report for the temporary SWM pond lands. The report shall include recommendations from a qualified geotechnical Engineer detailing the procedures for the removal and disposal of all accumulated sediment and contaminants and the requirements for engineered fill, to the satisfaction of the Senior Director, Growth Management.
16. That, **prior to registration**, the Owner shall include in the engineering design and cost schedules for temporary parking restriction signage. The signage shall be installed prior to the first occupancy of the first dwelling and shall be maintained to the satisfaction of the Senior Director, Growth Management.
17. That, **prior to registration**, the Owner agrees to transfer to the City 0.3 m reserves in the following locations:
  - a. North side of Block 53;
  - b. North side of Block 55;
  - c. North side of Block 57;
  - d. East side of Block 58;
  - e. West side of Block 59;
  - f. West side of Block 60;
  - g. East side of Block 61;
  - h. Block 68; and,
  - i. Block 69;to the satisfaction of the Senior Director, Growth Management.
18. That, **prior to registration**, the Owner shall include in the engineering design and cost schedules for the extension of Street 'A' (Block 64), including all above ground and underground services, to the satisfaction of the Senior Director, Growth Management.

19. That, **prior to registration**, the Owner shall provide an adequate additional easement (minimum total width 10 m) within the existing easement from Barton Street to Arvin Avenue to accommodate the installation of a temporary storm sewer. The Owner shall be responsible to install and maintain the storm sewers from Arvin Avenue to the proposed Street 'A' until such time as determined by the City. The Owner shall remove all temporary work when requested by the City and restore all affected lands, to the satisfaction of the Senior Director, Growth Management.
20. That, **prior to registration**, the Owner shall agree in writing that proposed Lots 45 to 49 will remain undevelopable until the SWM pond design including the pond outlet structure and the emergency overland flow route from the pond have been approved by the City, to the satisfaction of Senior Director, Growth Management.
21. That, **prior to registration**, the Owner agrees in writing to erect and maintain signage indicating that the road between Barton and Street 'A' is temporary and will be removed when permanent road connections are available to the west and Street 'A' is extended. The signage shall be installed prior to the first occupancy and be located at the point(s) where the temporary road meets the permanent road allowance, to the satisfaction of the Senior Director, Growth Management.
22. That, **prior to registration**, the Owner agrees in writing to erect and maintain signage indicating that the temporary walkway between Street 'A' and Highway No. 8 is temporary and will be removed when permanent road connections are available to the west. The signage shall be installed prior to the first occupancy, to the satisfaction of the Senior Director, Growth Management.
23. That, **prior to preliminary grading**, the Owner shall obtain the necessary permission/consent from the affected land Owner of the surrounding lands in order to accommodate the grading encroachment on their properties for the construction of the draft plan of subdivision or demonstrate how the grading will be completed without encroachments onto the neighbouring lands, to the satisfaction of the Senior Director, Growth Management.
24. That, **prior to preliminary grading**, the Owner shall submit and obtain approval for a construction management plan and brief, detailing how the proposed servicing works on Barton Street would be constructed while mitigating impacts to the surrounding community, to the satisfaction of the Senior Director, Growth Management.
25. That, **prior to preliminary grading**, the Owner shall prepare detailed grading plans that include details for all Lots and Blocks demonstrating how the proposed and future grading will reconcile with the adjacent properties in the interim and ultimate conditions, to the satisfaction of the Senior Director, Growth Management.

26. That, **prior to preliminary grading**, the Owner shall prepare a revised SWMF report and design that demonstrates how the high ground water levels conditions identified in the Hydrogeological reports will address potential inflow and uplift conditions to the satisfaction of the Senior Director, Growth Management.
27. 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 MECP 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.
28. 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 Guidelines (2017) and the MECP Stormwater Management Planning and Design Manual (2003), and considering the following parameters:
  - a. The SWM facility design shall accommodate any external drainage from the adjacent lands currently draining onto the subject site.
  - b. The design shall demonstrate a suitable storm outlet including an emergency spillway from the SWM facility to the existing ditches on Barton Street. An appropriate outlet control structure shall be considered in a manhole on the entrance road from Barton Street. An overflow/ emergency spillway system should be established through a DICB grate on the proposed ditches west side of the entrance road.
  - c. The post development flow for all ranges of storm events shall be controlled to the discharge rates outlined in stage-storage-discharge table 5-3 of the Functional Serving and Stormwater Management report, dated July 2019 prepared by Urbantech West.
  - d. The maximum water level in the SWM facility for 100-year storm shall be set at a minimum of 0.1 m below the existing south ditch invert elevation

(appx. 91.06 m) on Barton Street to accommodate an emergency spillway for the SWM facility.

- e. All RYCB top of grate elevations shall be set a minimum of 0.3 m above emergency spillway elevation of the proposed dry pond.
  - f. The design shall demonstrate that the 5 and 100-year HGL's for the storm sewer shall not exceed the obvert of the sewer and a minimum of 0.3 m below the RLCB TG elevation respectively based on 5 and 100-year pond operating level elevations respectively.
  - g. The design shall demonstrate a continuous emergency overland flow route for easterly Lots 3 to 25 including the rear yard drainages from the existing properties along Tuscani Drive to Barton Street.
  - h. The dry pond geometry (pond side slope and minimum setback along Lots 32 to 49) shall be designed as per City of Hamilton Comprehensive Development Guidelines (2018).
  - i. The bottom of the dry pond shall consider an impermeable liner to isolate the pond from the shallow aquifer. A geotechnical engineer shall provide recommendations about the thickness of the liner.
29. That, **prior to preliminary grading**, the Owner agrees to design and construct the SWM facility/dry pond in accordance with City's standard at the Owner's expense. The proposed SWM facility/dry pond shall not be removed until the ultimate pond to the west in the Block # 3 servicing study area is constructed and in operation, including the subject development, to the satisfaction of Senior Director, Growth Management.
30. That, **prior to preliminary grading**, the Owner shall provide to the City an irrevocable letter of credit in the amount of \$250,000 for the estimated cost of the maintenance and operation of the temporary SWM pond and outlet storm sewer. The letter of credit is intended to be used in the event that the Owner fails to meet their operational or maintenance obligations, to the satisfaction of the Senior Director, Growth Management.
31. That, **prior to preliminary grading**, the Owner shall include in their detailed design and cost schedule the regrading of the existing roadside ditches along the south side of Barton Street from the site's west entrance to the easement on the north side of Barton Street (towards Arvin Avenue), to the satisfaction of Senior Director, Growth Management.
32. That, **prior to preliminary grading**, the Owner acknowledges that pre-grading for the subject lands shall not be permitted until the storm outlet (storm sewer) from



the subject lands to Arvin Avenue is in place and operational, to the satisfaction of the Senior Director, Growth Management.

33. That, **prior to preliminary grading**, the Owner, through a geotechnical consultant or other qualified consultant, shall: check existing wells which provide potable water supply to other properties located within a reasonable distance of the subject lands to establish the existing depth of water within wells prior to the commencement of construction; monitor these wells during construction; and check wells for a period of one year after the completion of construction. If any problems arise, the monitoring program shall be extended, and the Owner shall address and resolve all issues, to the satisfaction of the Senior Director of Growth Management.
34. That, **prior to servicing**, the Owner shall include in the engineering design and cost estimate schedules provision for the installation of a 1.5m concrete sidewalk on both sides of all proposed roads (temporary and permanent), to the satisfaction of the Manager of Transportation Planning and the Senior Director, Growth Management.
35. That, **prior to servicing**, the Owner shall include in the engineering design and cost estimate schedules provision for installation of a temporary 3.0m multi-use asphalt pathway on Blocks 51 and 52. The temporary pathway shall remain in place until such a time as the ultimate Street 'A' road connections to the west are constructed. The Owner shall be responsible for all costs associated with the construction and subsequent removal of the temporary pathway, including all restoration, all to the satisfaction of the Manager of Transportation Planning and the Senior Director, Growth Management.
36. That, **prior to servicing**, the Owner shall include in the engineering design and cost estimate schedules provision for installation of 13.0 m pavement radii along the inside curb line and 15 m radii along the outside curb line at the two 90-degree bends of Street 'A', all to the satisfaction of the Senior Director, Growth Management.
37. That, **prior to servicing**, the Owner shall include in the engineering design and cost estimate schedules provision for the construction, maintenance, removal of all interim works, and all associated restoration of all temporary works, external and internal, to the proposed subdivision. Furthermore, the Owner acknowledges and agrees that there will be no City share or financial contributions towards works approved as interim or temporary measures, all to the satisfaction of the Senior Director, Growth Management.
38. That, **prior to servicing**, the Owner shall prepare and submit an 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 driveway aprons and curb openings for all lots;
- c. the pairing of driveways (where required);
- d. where lots in the subdivision abut a park entrance or a public walkway, as the case may be;
- e. the location of transit pads, community mailbox pads and fire hydrants, where the location has been determined by the appropriate authorities;
- f. the locations and dimensions where driveway widths are restricted to accommodate the required parking. In addition to the foregoing:
  - i. the driveway aprons of Lots 26, 39, 40, 41, 42, 47, & Block 62 shall be restricted to a single width of 3.0 m; and,
  - ii. The Owner shall agree in writing that all of the driveways where 3.0 m aprons are required to achieve the minimum 40% on-street parking that the garages shall be restricted to a maximum of a garage and a half width; and,
- g. the pairing of driveways and restriction of driveway widths, where required, shall also be clearly shown on the final grading plan(s) with suitable notes indicating that the pairing is required to accommodate on street parking spaces;

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

- 39. That, **prior to servicing**, the Owner shall indicate all driveway locations on the engineering drawings for all lots and blocks and that no driveway shall be located within a daylight triangle. The driveway of Lot 1 shall be located on the east side of the lot. Further, all driveway locations at bends and corners in Street 'A' shall be situated to ensure that the driveways are completely located within their own lot frontages and the driveway aprons shall not cross in front of adjacent lots. Further, all end units with daylighting triangles shall have the driveway located on the internal side of the lot or block. All to the satisfaction of the Senior Director, Growth Management.
- 40. That, **prior to servicing**, the Owner prepares a geotechnical report and implements the report's recommendations, to the satisfaction of the Senior Director of Growth Management.
- 41. That, **prior to servicing**, the Owner shall include in the engineering design and cost schedules provisions for the extension of both ends of Street 'A', including road, watermains, sanitary and storm sewers, and utilities to the west property limits of the subdivision, to the satisfaction of the Senior Director, Growth Management.
- 42. That, **prior to servicing**, the Owner shall include in the engineering design and costs schedules a full road reconstruction of Barton Street between the interim

road connection to Barton Street and approx. 170m to the west of the interim road connection. Further, the Owner shall be solely responsible for all costs associated with the Barton Street reconstruction costs, all to the satisfaction of the Senior Director, Growth Management.

43. That, **prior to servicing**, the Owner agrees to include in the engineering design and cost estimates, and install hammer head style turn arounds for all Lots (and future lots) fronting onto Barton Street and Highway No. 8, to the satisfaction of the Senior Director, Growth Management.
44. That, **prior to servicing**, the Owner shall prepare a sightline analysis for the intersection of Barton Street and the interim road connection, to the satisfaction of the Manager of Transportation Planning and Senior Director, Growth Management.
45. That, **prior to servicing**, the Owner agrees to operate, monitor, and maintain at the Owner's expense, the stormwater management facility, in a manner acceptable to the City, including any changes to conditions of the MECP'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, Growth Management.
46. That, **prior to servicing**, the Owner shall submit a detailed sump pump design in consideration with groundwater and surface interaction during severe storm conditions for all the proposed lots including a secondary relief/overflow on surface and back-up power unit, to the satisfaction of the Senior Director, Growth Management.

#### **Development Planning:**

47. The Owner shall agree to include in all agreements of purchase and sale and/or lease of residential units and noted within the Subdivision Agreement, the following noise warning clauses:
  - a. **For Lot 50 and Blocks 51, 60 and 61:**
    - i. Purchasers/tenants are advised that sound levels due to increasing road traffic may occasionally interfere with some activities of the dwelling unit occupants as the sound levels exceed the Municipality's and the Ministry of the Environment, Conservation and Parks' (MOECP) noise criteria.
    - ii. This dwelling unit has been fitted with a forced air heating system and the ducting etc., was sized to accommodate central air conditioning. Installation of central air conditioning will allow windows

and exterior doors to remain closed, thereby ensuring that the indoor sound levels are within the Municipality's and the MOECP's noise criteria. (Note: the location and installation of the outdoor air conditioning device should be done so as to minimum the noise impacts and comply with the criteria of MOECP publication NPC-216 Residential Air Conditioning Devices.)

b. **All Lots**

- i. Purchasers/tenants are advised of the proximity of adjacent commercial facilities, the sound from which may at times be audible.

c. **Clause regarding inspection of building plans for compliance with Noise Impact Study:**

- i. **Prior to the issuance of a building permit** for this development, the builder's plans shall be certified by a Professional Engineer qualified to provide acoustical engineering services in the Province of Ontario as being in compliance with the recommendations of the Noise Feasibility Study prepared by HGC Engineering (dated September 26, 2018).
- ii. **Prior to issuance of occupancy permit(s)** for this development, the builder's plans shall be certified by a Professional Engineer qualified to provide acoustical engineering services in the Province of Ontario as being in compliance with the recommendations of the Noise Feasibility Study prepared by HGC Engineering (dated September 26, 2018), including ensuring that the noise control measures have been properly installed and constructed.

- 48. 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, Conservation and Parks (MOECP). 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 MOECP, and submission of the City of Hamilton's current RSC administration fee.
- 49. 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.

50. 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.
51. That, **prior to the issuance of any building permit(s)**, and at the Owner's expense, the Owner shall provide architectural drawings for the review and to the satisfaction of the Manager of Development Planning, Heritage and Design, prepared by the architect designing the dwellings whose function shall be:
- a. To ensure, amongst other matters, the appropriate development of each lot with respect to siting, built form, materials, colours and landscaping in compliance with the approved Urban Design Brief; and,
  - b. To certify, through stamping and signing, all drawings for the development of each lot and/or block subject to the architectural guidelines prior to the issuance of any building permit(s).

**Hamilton Conservation Authority:**

52. That, **prior to preliminary grading and / or servicing**, the Owner complete and submit a full stormwater management report and associated engineering drawings (grading, drainage, servicing), to the satisfaction of the Hamilton Conservation Authority.

**Public Health:**

53. That, **prior to preliminary grading and / or servicing**, the Owner submit and receive approval of a Dust Mitigation Plan, to the satisfaction of the Director of the Health Protection Division, Public Health Services Department

**Transportation Planning:**

54. That, **prior to preliminary grading**, 20.0 metre temporary right-of-way access must be provided between Street 'A' and Barton Street to connect Street 'A' with Barton Street, to the satisfaction of the Manager of Transportation Planning.
55. That, **prior to servicing**, the Owner shall prepare and submit:
- a. Conceptual Pavement Markings, Traffic Signs and/or Traffic Signal Plans; and,

- b. Detailed Pavement Markings, Traffic Signs and/or Traffic Signal Plans;
- all to the satisfaction and approval of the Manager of Transportation Planning.

**Canada Post:**

- 56. 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.
- 57. 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.
- 58. 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 effect for buildings and complexes with a common lobby, common indoor or sheltered space.

## 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.