

Special Conditions for Draft Plan of Subdivision Approval for 25T-201608

That this approval for the Draft Plan of Subdivision, 25T-201608, prepared by Metropolitan Consulting Inc., and certified by B. A. Jacobs, O.L.S., dated January 24, 2020, consisting of one block for street townhouse and maisonette dwellings (Block 'A') and one block for road widening (Block 'B') for the development of a maximum of 26 street townhouse dwellings and 20 maisonette dwellings fronting common element condominium roads, be received and endorsed by City Council with the following special conditions:

Development Engineering:

1. That, **prior to registration of the plan of subdivision**, the Owner shall prepare and submit a phasing plan for approval. The phasing shall identify a maximum of 30 units to be developed in the first phase. Furthermore, the Owner agrees that the units in the second phase shall not be developed until such a time as the required downstream sanitary sewer upgrades are completed and adequate sanitary sewer capacity is available, all to the satisfaction of the Senior Director, Growth Management.
2. That, **prior to the registration of the plan of subdivision**, the Owner shall enter into a cost sharing agreement with the Developer of 165 Upper Centennial Parkway for the downstream sanitary sewer improvements required due to the proposed increase in density, to the satisfaction of the Senior Director, Growth Management.
3. That, **prior to preliminary grading**, the Owner shall submit a detailed stormwater management (SWM) report prepared by a qualified professional engineer that demonstrates how quality and quantity control will be handled in accordance with City of Hamilton Drainage Policy and Current Comprehensive Development Guideline, original design of Penny Lane subdivision and proposed development at 15 Picardy Drive to the satisfaction of the Senior Director, Growth Management.
4. That, **prior to preliminary grading**, the Owner shall enter into a joint servicing agreement with the Owner of 15 Picardy Drive and demonstrate that the necessary easements to provide private sewer and water connections, and a second road access have been established in favour of the subject lands (known as 56 Highland Road West) over the abutting lands (known as 15 Picardy Drive), all to the satisfaction of the Senior Director, Growth Management.
5. That, **prior to preliminary grading**, the Owner agrees to engage a qualified professional to investigate and determine whether Karst features exist in relation to the subject lands. In the event that a Karst feature or sinkhole is determined to exist or otherwise encountered, appropriate construction techniques to stabilize

the area to avoid negative impacts shall be undertaken, to the satisfaction of the Senior Director, Growth Management and Hamilton Conservation Authority.

6. That, **prior to preliminary grading**, the Owner submits a plan and procedures for dealing with issues concerning dust control and street cleaning (external roads included) throughout construction within the subdivision, including during house construction, all at their expense, to the satisfaction of the Senior Director, Growth Management Division and the Director of the Health Protection Division, Public Health Services Department.
7. 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.

Hamilton Conservation Authority:

8. That, **prior to preliminary grading and/or servicing**, the Owner prepares and implements an erosion and sediment control plan for the subject property to the satisfaction of the Hamilton Conservation Authority.
9. That, **prior to preliminary grading and/or servicing**, the Owner prepares and implements a lot grading plan to the satisfaction of the Hamilton Conservation Authority.
10. That, **prior to preliminary grading and/or servicing**, the Owner prepares and implements a stormwater management plan for the subject property to the satisfaction of the Hamilton Conservation Authority.

Transportation Planning:

11. That, **prior to registration of the plan of subdivision**, the plan shall include Block 'B' 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

Highland Road West at 13.106 metres from the center line of the original road allowance, to the satisfaction of the Manager of Transportation Planning.

Alectra Utilities:

12. That **prior to registration of the plan of subdivision**, the Owner shall agree, in words satisfactory to Alectra Utilities Corporation, to grant to Alectra Utilities Corporation any easements that may be required for electrical services. Easements may be required subject to final servicing decisions. In the event of any conflict with existing Alectra Utilities Corporation facilities or easements, the Owner shall be responsible for the relocation of such facilities or easements.

Canada Post:

13. 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.
14. 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.

15. 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.

Canadian Radio and Telecommunication Commission and Bell Canada

16. That the Owner provide the Manager of Development Approvals with evidence that satisfactory arrangements, financial and otherwise, have been made with a telecommunication service provider approved by the Canadian Radio and Telecommunication Commission (CRTC) that adequate telecommunication service will be provided to the subdivision including 9-1-1 emergency calling service that identifies, at a minimum, the callers name and location information.
17. That the Owner shall agree in the Subdivision Approval Agreement, in words satisfactory to Bell Canada, to grant to Bell Canada any easements that may be required for telecommunication services. Easements may be required subject to final servicing decisions. In the event of any conflict with existing Bell Canada facilities or easements, the Owner / Developer shall be responsible for the relocation of such facilities or easements.

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 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.