

Special Conditions for Draft Plan of Subdivision Approval for 25T-201904

That this approval for the Draft Plan of Subdivision, 25T-201904, prepared by IBI Group and certified by S. Dan McLaren, O.L.S., dated March 14, 2019, consisting of one development block (Block 1) be received and endorsed by City Council with the following special conditions:

Development Planning:

1. That the owner agrees, at their own expense, to install a 3.3 metre high sound barrier. The sound barrier must be of solid construction with no gaps, cracks or holes (except for small openings required for water drainage) and must have a minimum surface weight of 20 kg/m², to the satisfaction of the Director of Planning and Chief Planner.
2. That the owner agrees to the inclusion in the Subdivision Agreement the following noise warning clauses to the satisfaction of the Director of Planning and Chief Planner:

All Units:

Warning Clause "A":

Purchasers / tenants are advised that despite the inclusion of noise control features in the development and within the building units, sound levels due to increasing road traffic may on occasion interfere with some activities of the dwelling occupants as the sound levels exceed the sound level limits of the City of Hamilton and the Ministry of the Environment and Conservation and Parks.

Warning Clause "B":

This dwelling unit has been supplied with a central air conditioning system which will allow windows and exterior doors to remain closed, thereby ensuring that the indoor sound levels are within the sound level limits of the Municipality and the Ministry of the Environment, Conservation and Parks.

3. That the owner agrees, in writing, to satisfy all requirements, financial and otherwise, of the City of Hamilton prior to development of any portion of these lands.

Bell Canada:

4. That **prior to registration of the plan of subdivision**, the Owner shall indicate in the Agreement, in words satisfactory to Bell Canada, that it will grant to Bell Canada any easements that may be required, which may include a blanket

easement, for communication/telecommunication infrastructure. In the event of any conflict with existing Bell Canada facilities or easements, the Owner shall be responsible for the relocation of such facilities or easements.

Canada Post:

5. That **prior to registration of the plan of subdivision**, the Owner shall include in all offers of purchase and sale or lease agreements, 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.

6. That **prior to registration of the plan of subdivision**, the Owner agrees to:
 - c. 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.
 - d. 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.
 - e. 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.
 - f. 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.
 - g. Maps are also to be prominently displayed in the sales office(s) showing specific Centralized Mail Facility locations.

Ministry of Transportation:

7. That **prior to registration of the plan of subdivision** the owner shall submit to the Ministry of Transportation for review and approval a detailed storm-water management report, in accordance with MTO Stormwater Management Requirements for Land Development Proposals.

8. That **prior to registration of the plan of subdivision** the owner shall submit to the Ministry of Transportation for review and approval a traffic impact study to assess site impacts on QEW, and ensure that appropriate mitigation, if required, is provided for by the owner.
9. That where highway improvements have been identified as required during the TIS review process, the owner shall enter into a legal agreement with the Ministry of Transportation whereby the owner agrees to assume financial responsibility for the design and construction of all associated highway improvements that may be required per Condition No. 9, prior to Registration.

Union Gas:

10. 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 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.