

Special Conditions for Draft Plan of Subdivision Approval for 25T-202007

That this approval for the Draft Plan of Subdivision, 25T-202007, prepared by A.T. McLaren and certified by S. Dan McLaren, O.L.S., dated July 30, 2020, consisting of one block (Block 1) for street townhouse dwellings be received and endorsed by City Council with the following special conditions:

Growth Management:

1. That the owner shall agree in writing, implement and demonstrate that the following clauses have been included in all Purchase and Sale Agreements and Rental or Lease Agreements and in the Subdivision Agreement, as described in the report titled "Environmental Noise Assessment Report 3311 Homestead Drive", dated August, 2020, to the satisfaction of the Senior Director of Growth Management:

- (i) Blocks A, B, D, J, W, X, Y and Z of Site Plan Control application DA-19-099:

Warning Clause "A":

Purchasers/tenants are advised that sound levels due to increasing road and air traffic may occasionally 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, Conservation and Parks.

- (ii) Blocks A, E, F, G, H, K, L, M, N, O, P, Q, R, S, T, U and V of Site Plan Control application DA-19-099:

Warning Clause "C"

This dwelling unit has been designed with the provision for adding central air conditioning at the occupant's discretion. Installation of central air conditioning by the occupant in low and medium density developments will allow windows and exterior doors to remain closed, thereby ensuring that the indoor sound levels are within the sound level limits of the City of Hamilton and the Ministry of the Environment, Conservation and Parks.

- (iii) Blocks B, C, D, I, J, W, X, Y and Z of Site Plan Control application DA-19-099:

Warning Clause "D"

This dwelling unit has been supplied with a central air conditioning system which will allow windows and doors to remain closed, thereby ensuring that

the indoor sound levels due to road and air traffic are within the sound level limits of the City of Hamilton and the Ministry of the Environment, Conservation and Parks.

Development Planning:

2. 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.
3. That a warning clause be included in all purchase and sale agreements and rental or lease agreements to advise prospective purchasers that a portion of the lands are within the District Commercial (C6, 580) Zone, and the clause shall include the list of permitted uses of the District Commercial (C6, 580) Zone to the satisfaction of the Director of Planning and Chief Planner.
4. That a warning clause be included in all purchase and sale agreements that the City of Hamilton will repeal and replace the District Commercial (C6,580) Zone in the future to recognize residential uses on the subject lands to the satisfaction of the Director of Planning and Chief Planner.

Growth Planning:

5. The owner agrees to enter into a Subdivision Agreement or Agreements with the City of Hamilton to the satisfaction of the Senior Director of Growth Management.

Bell Canada:

6. That **prior to registration of the plan of subdivision**, the owner, grant to Bell Canada any easements that may be required for telecommunication services. If there are any conflicts with existing Bell Canada facilities or easements, the owner/developer shall be responsible for rearrangements of relocation.

Canada Post:

7. 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.

8. 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.

Union Gas:

9. 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.