

**Special Conditions for Draft Plan of Subdivision Approval for 25T-201903**

That this approval for the Draft Plan of Subdivision, 25T-201903, prepared by A.T. McLaren Ltd., and certified by S.D. McLaren, O.L.S., dated March 8, 2019, consisting of two development blocks (Blocks 1 and 2) and one block (Block 3) for a future condominium road, visitor parking, landscaped areas and subject to an easement in favour of the lands to the east at 56 Highland Road West for shared sanitary, storm and water services in addition to shared vehicular and pedestrian access be received and endorsed by City Council with the following special conditions:

**Development Planning:**

1. That the owner agrees, in writing, to satisfy all requirements, financial and otherwise, including applicable zoning by-law provisions and warning provisions of the City of Hamilton prior to development of any portion of these lands.
2. That the owner agrees to the inclusion, in the Subdivision Agreement, the following warning clause to the satisfaction of the Director of Planning and Chief Planner:

Purchasers / tenants are advised that there is an easement (within Block 3) in favour of the lands to the east at 56 Highland Road West for shared sanitary, storm and water services in addition to shared vehicular and pedestrian access.

3. That prior to final approval of the Plan of Subdivision, the number and the shape of the Blocks in the Plan of Subdivision may be revised by the City to ensure that orderly development occurs, to the satisfaction of the Director of Planning and Chief Planner.
4. That the applicant is advised that a Part Lot Control application will be required in order to give effect to the Plan of Condominium, to the satisfaction of the Director of Planning and Chief Planner.

**Development Engineering:**

5. That **prior to registration of the plan of subdivision**, the applicant demonstrate that an adequate easement in favour of the property at 56 Highland Road West, to provide for installation of sewers and watermain as well as for vehicular and pedestrian access to Picardy Drive, is established, to the satisfaction of the Senior Director, Growth Management Division.

**Bell Canada:**

6. 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 easement 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:**

7. That **prior to the 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:
  - 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 pad 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 cooperation 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.

**Union Gas:**

9. That **prior to the registration of the plan of subdivision**, the owner/developer provide to Enbridge Gas Inc.'s operation 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 three 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.