

Appendix "F"

Revised Special Conditions for Draft Plan of Subdivision Approval for 25T-200721R

(Last updated: September 13, 2021)

That the following revised special conditions for Draft Plan of Subdivision Approval for 25T-200721R be received and endorsed by City Council:

- (a) That Condition Nos. 1, 13, 15, 16, 41 and 43 be deleted and replaced with the following:
- (1) That this approval apply to "Eden Park", 25T-200721(r), prepared by UrbanSolutions, and certified by Harry Kalantzakos, OLS, dated September 17, 2021, showing 18 lot-less blocks (Blocks 1 to 8, Blocks 17 to 25 and Block 49), five 0.3 metre reserve blocks (Block 45 to 48 and Block 50), 1 block (Block 38) for future development and the creation of 7 public roads (Streets B to C, F and I to L), subject to the Owner entering into a Standard Form Subdivision Agreement, as approved by City Council, and with the following Special Conditions;
 - (13) That, **prior to servicing**, the Owner agrees to submit an updated Hydrogeological report to the City, including lands identified as Part 3 on Reference Plan 62R-..... which shall be prepared by a qualified professional, to assess impacts of the proposed development on the groundwater. Pending the outcome of the study, the Owner shall propose appropriate mitigative measures to address the concerns, to the satisfaction of the Senior Director, Growth Management Division;
 - (15) That, **prior to registration**, the Owner agrees to construct municipal sidewalks as follows:
 - (1) On both sides of Street A and E;
 - (2) On both sides of Claudette Gate;
 - (3) Inner loop of Street B, G and I;
 - (4) On the north side of Street M;
 - (5) On the south side of Street D and F;
 - (6) On the east side of Street H, J and K; and,
 - (7) On the west side of Street C, D, and L;
 - (16) That, **prior to servicing**, the Owner agrees to include in the engineering design installation of a minimum 1.5m high chain link fence between private and publicly owned lands, namely along the north side of Blocks 1, 2 and 7, the north side of Block 17, the north and east side of Block 18 and the east side of Block 49;
 - (41) That **prior to preliminary grading**, the Owner shall submit a Tree Management Plan, prepared by a Registered Landscape Architect which will

including a Tree Inventory Analysis Table and the associated review fee of \$278.80 plus HST to the satisfaction of the Manager of Forestry and Horticulture and the Manager of Development Planning, Urban Design and Heritage; and,

- (43) That, **prior to servicing**, the Owner include in the engineering design for the draft plan lands installation of a minimum 1.5 metre high chain link fence along the Eastern and Northern boundaries of Block 18 and the northern boundary of Block 17 in 25T-200721r and along the northern boundary of Parts 1 and 2 of 62R-___ which abuts City parklands.
- (b) That the following Condition Nos. 45 through 59 (inclusive) be added:
- (45) That, **prior to registration of the plan of subdivision**, the Owner, agrees to provide the City of Hamilton with a cash payment for the construction of the existing storms sewers located north of the subject lands to the existing Storm Water Management facility in accordance with the City's Financial policies, as a benefitting Owner, to the satisfaction of the Senior Director, Growth Management Division;
- (46) That, **prior to registration of the plan of subdivision**, the Owner establish 4.5m times 4.5m daylight triangles at the intersection of Street I and Street L, to the satisfaction of the Senior Director, Growth Management Division;
- (47) That, **prior to servicing**, the Owner agrees to include in the design and cost schedules for Eden Park (Phase 2) subdivision the construction of roadway identified as Part 3 on Reference Plan 62R-.... to be constructed in accordance with municipal standards at 100% developer's cost to the satisfaction of the Senior Director, Growth Management Division;
- (48) That, **prior to servicing**, the Owner submits a stormwater management brief for Phase 2 lands prepared by a professional engineer to demonstrate how stormwater runoff quantity and quality will be handled in accordance with City and Ministry of the Environment Conservation Parks standards to the satisfaction of the Senior Director, Growth Management Division which shall include the following:
- (a) The Owner shall design and construct the major and minor systems through William Connell Park to convey uncontrolled flows from the subject development to William Connell Park pond at their own cost; and,
- (b) The Owner shall establish an adequate minor and major conveyance system to convey interim and post development flows from all external drainage areas from the south side of the subject development to a suitable outlet without impacting all rear lots proposed along the south limit. An external drainage outlet to a rear yard catch basin proposed

on a private lot will not be permitted. The development cannot block the external drainages to the south and west side of the subject site. The Owner shall provide an appropriate interim overland conveyance system on the subject land to convey all external drainage areas from the south and west of the draft plan lands;

- (49) That, **prior to servicing**, the Owner acknowledges that the subject development cannot proceed until such time as sanitary services are available at the east limit of the subdivision, to the satisfaction of the Senior Director, Growth Management Division;
- (50) That, **prior to servicing**, the Owner agrees to prepare a geotechnical report including lands described as Part 3 on Reference Plan 62R-.... and agrees to implement the report's recommendations, to the satisfaction of the Senior Director, Growth Management Division;
- (51) That, **prior to registration of the plan of subdivision**, the Owner agrees to secure their proportionate share of the ongoing operation and maintenance of the storm water management pond located downstream of William Connell Park through all phases of development to the satisfaction of the Senior Director, Growth Management Division;
- (52) That, **prior to preliminary grading**, the Owner shall pay their proportionate share to carry out a monitoring program and evaluate the performance of both stormwater management facilities (William Connell park pond and Mewburn Pond) for a minimum of five years in accordance with the conditions and monitoring procedures outlined in the Environmental Compliance Approval issued by the Ministry of the Environment, Conservation and Parks, as a benefiting land owner, to the satisfaction of the Senior Director, Growth Management Division;
- (53) That, **prior to servicing**, the Owner submits the sanitary design to the satisfaction of the Senior Director, Growth Management Division.

Bell Canada

- (54) That, **prior to registration of the plan of subdivision**, the Owner agrees to 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, at their own cost;

Canada Post

- (55) 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 mail delivery will be from a designated Centralized Mail Box; and,
 - (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;
- (56) 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; and,
 - (e) Maps are also to be prominently displayed in the sales office(s) showing specific Centralized Mail Facility locations;

Enbridge

- (57) That **prior to registration of the plan of subdivision**, the Owner provide to Union Gas the necessary easements and/or agreements required by Union Gas for the provision of gas services for this project, in a form satisfactory to Enbridge;

Forestry and Natural Heritage

- (58) That **prior to registration of the plan of subdivision**, the Owner shall provide payment for road allowance trees based on the City's Forestry User Rate;
- (59) That **prior to registration of the plan of subdivision**, the Owner shall provide payment for 106 trees that were removed from 62R-..., based on the City's Forestry User Rate.

City Cost Sharing

Any share costs with the Owner will be in accordance with the City’s Financial Policy.

NOTES TO DRAFT PLAN APPROVAL

- 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 before the draft approval lapses;
- That payment of Cash-in-Lieu of Parkland will be required for the development prior to the issuance of each building permit for the lots within the plan. The calculation of the Cash-in-Lieu payment shall be based on the value of the lands on the day prior to the day of issuance of the building permit; all in accordance with the Financial Policies for Development, and the City’s Parkland Dedication By-law, as approved by Council; and,
- 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.