

Special Conditions for Draft Plan of Subdivision Approval for 25T-202110

That this approval for the Draft Plan of Subdivision, 25T-202110, prepared by T. Johns Consulting Group and certified by Dan McLaren, O.L.S., dated March 10, 2022 (Revision E, dated March 10, 2022), consisting of one development block for street townhouse dwellings (Block 1 and Block 2) be received and endorsed by City Council with the following special conditions:

Development Engineering:

1. That, **prior to registration of the final plan of subdivision**, the Owner agrees that the final plan of the subdivision shall include a 2.21 metre block widening 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 Wilson Street at 15.24m (50 feet) from the center line of the original road allowance, to the satisfaction of the Director, Growth Management.

Development Planning:

2. That, **prior to preliminary grading and / or servicing**, the Owner shall prepare a Tree Preservation / Enhancement Plan, showing the location of drip lines, edges and existing plantings, the location of all existing trees and the method to be employed in retaining trees required to be protected; and to implement all approved tree saving measures. The implementation of the Plan shall include a Verification of Tree Protection Letter, prepared by a qualified professional, all to the satisfaction of the Director of Planning and Chief Planner; and,
3. That, **prior to registration of the plan of subdivision**, the Owner shall provide a Landscape Plan prepared by a certified Landscape Architect to the satisfaction of the Director of Planning and Chief Planner. The Landscape Plan is to show the placement of compensation trees required for any tree removals completed in accordance with the approved Tree Protection Plan. The minimum size of trees required for compensation are to be in accordance with the City's Tree Protection Guidelines (revised October 2010). In the event that the owner cannot provide for all trees on site, the owner shall provide cash-in-lieu for the remaining trees.

Transportation Planning:

4. That, **prior to servicing**, the Owner shall include, in the engineering design and cost estimate schedules, provision for the relocation of the concrete pad for the bus stop along Wilson Street West to the satisfaction and approval of the Manager, Transportation Planning. All costs for utility relocation are the sole responsibility of the Owner. It is the Applicant's responsibility to coordinate with the appropriate departments ahead of time.

Canada Post:

5. That **prior to registration of the plan of subdivision**, the Owner shall include in all offers of purchase and sale and lease or rental agreements, a statement that advises the prospective purchaser:
 - i. That the home / business mail delivery will be from a designated Centralized Mail Box; and,
 - ii. 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:
 - iii. 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;
 - iv. 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;
 - v. 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;
 - vi. 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,
 - vii. Maps are also to be prominently displayed in the sales office(s) showing specific Centralized Mail Facility locations.
7. 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 and 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.

Bell Canada:

8. 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.

Rogers Communication Inc.:

9. That **prior to registration of the plan of subdivision**, the owner / developer shall provide to Rogers Communications Inc. ("Rogers") the necessary easements and / or agreements required by Rogers for the provision of telecommunications services for this project, in a form satisfactory to Rogers.

Union Gas:

10. That **prior to registration of the plan of subdivision**, the owner / developer shall 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 three years. However, extensions will be considered if a written request is received two months before the draft approval lapses.