

**Special Conditions for Draft Plan of Subdivision Approval for 25T-201901**

That this approval for the Draft Plan of Subdivision "Barton Estates" 25T-201901, prepared by A. J. Clarke and Associates Ltd., and certified by Nicolas P. Muth, O.L.S., dated November 20, 2022, consisting of one block for proposed townhouses (Block 1) and one right-of-way widening block (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 4.7 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 Barton Street at 36.576 metres from the center line of the original road allowance, to the satisfaction of the Director of Growth Management.
2. That, **prior to preliminary grading**, the Owner agrees to provide a plan or procedure for dealing with issues concerning dust control and street cleaning throughout construction within the subdivision, including homes. This document will also include, first point of contact, a schedule for regular cleaning of streets that is specific to the methods to be used, the source of water, and the contractor or agent to be used to undertake the works as well as the contractor/agent contact information so that the City can direct works to be completed as necessary, to the satisfaction of the Director of Growth Management.
3. That, **prior to preliminary grading**, the Owner shall submit a detailed stormwater management (SWM) report prepared by a qualified Professional Engineer to demonstrate how stormwater quality and quantity control for the proposed development will be handled in accordance with City of Hamilton Drainage Policy and Current Comprehensive Development Guidelines. The design shall include but not limited to the following:
  - a. Identifying and establishing a SWM Facility (underground storage chamber) to accommodate drainages from the subject land including any external drainage routed through the SWM facility for 2 to 100-year storm events;
  - b. The 100-year post development flow shall be controlled to 5-year predevelopment level as identified in the FSR and SWM Report (AJ Clarke; dated: June 2020);
  - c. Demonstrating that the post-development 100-year hydraulic grade line (HGL) is at least 0.3 m below the lowest top of grate elevation at all inlet (RYCB/DCB/CB) locations; and,

- d. An appropriate treatment train technique in the SWM design to meet 'Level 1' stormwater quality control as per the City Standards;

all to the satisfaction of the Director of Growth Management.

4. That, **prior to servicing**, the Owner agrees to include in the engineering design and cost estimate schedule provision for abandonment/installation of services, removal of the existing driveway, installation of a concrete sidewalk, curb and boulevard, relocation of all above ground or underground utilities, pavement installation of top and base asphalt for the entire road section fronting the draft plan land, all at the Owner's expense, to the satisfaction of the Director of Growth Management.

#### **Development Planning:**

5. That, **prior to preliminary grading or servicing**, the Owner shall provide a Verification of Tree Protection Letter to the satisfaction of the Director of Planning and Chief Planner, to ensure that the tree protection measures identified within the Tree Management Plan, prepared by Hill Design Studio Inc. and dated September 20, 2021, are implemented.
6. That, **prior to registration**, the Owner shall prepare a Landscape Plan by a certified Landscape Architect showing the placement of compensation trees for any tree removals, completed in accordance with the Tree Management Plan prepared by Hill Design Studio Inc. and dated September 20, 2021, to the satisfaction of the Director of Planning and Chief Planner.
7. That, **prior to servicing**, the owner shall include in the engineering design for the subject lands, to the satisfaction of the Director of Planning and Chief Planner, the inclusion of a noise barrier wall, as per Figure 1 of the addendum environmental noise analysis dated February 4, 2020, prepared by Valcoustics Canada Limited, subject to the following:

"Acoustical barriers shall consist of a 2.0 m sound barrier wall constructed along the north and east side of Unit 11 of Building 1 be constructed with no gaps, cracks or holes (except for small localized openings required for water drainage) and must have a minimum surface weight of 20 kg/m<sup>2</sup>. A variety of materials are available, including concrete, masonry, glass, wood, specialty composite materials, or a combination of the above.

The noise barrier wall and wood material treatment shall be shown on the final grading plan, draft plan, and landscape plan to the satisfaction of the Manager of Heritage and Urban Design and the Manager of Development Engineering Approvals. The final height of the sound barrier may change from the height shown on Figure 1 based on final grading information once it becomes available."

**Growth Planning:**

8. That, **prior to registration**, the owner and agent shall work with Legislative Approvals / Staging of Development Staff to finalize street naming and municipal addressing for the subject proposal, to the satisfaction of the Director of Growth Management.

**Waste Management:**

9. The following shall be included in all agreements for purchase and sale or lease, to the satisfaction of the Manager of Waste Policy and Planning:

"Purchasers or tenants are advised that municipal Waste Collection Vehicles may not be able to enter the property to collect any Waste including Garbage, Recycling, Organics, Leaf and Yard or Bulk Waste. All Garbage, Recycling, Organics, Leaf and Yard, and Bulk Waste. For collection to occur, waste shall be placed at the municipal curb adjacent to the property entrance in accordance with the City of Hamilton Solid Waste Management By-law 09-067, as amended."

**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](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.