

Special Conditions for Draft Plan of Subdivision Approval for 25T-202002

That this approval for the Draft Plan of Subdivision, 25T-202002, certified by Odan-Detech Consulting Engineers, dated April 14, 2023, consisting of one block for industrial development (Block 1), one block for future development (Block 2), a Vegetation Protection Zone block (Block 3), a block for a road widening (Blocks 4), a block for a temporary cul-de-sac (Block 5), and a public road (Street "A"), be received and endorsed by City Council with the following special conditions:

Development Engineering

1. That, **prior to preliminary grading**, the Owner shall submit a revised Functional Servicing Report, signed and sealed by a qualified, licensed professional engineer, to the satisfaction of the Director, Growth Management & Chief Development Engineer.
2. That, **prior to preliminary grading**, the Owner acknowledges that a detailed stand-alone stormwater management report will be required for the Site Plan application for Block 1 prepared by a professional engineer, to the satisfaction of the Director, Growth Management & Chief Development Engineer. The SWM design shall include the following:
 - a. Demonstrate how the post development flow will be controlled to lesser of pre-development flows or unitary flow rates identified in the AEGD Sub-watershed Masterplan for all ranges of storm events including the 100-year event through an appropriate SWM system for each outlet on the subject lands;
 - b. The SWM design shall consider a filter media-landscaped based LID on Block 1 shown on the draft plan to achieve level 1 water quality control in accordance with AEGD Sub-watershed Master Plan. In addition, the water balance and erosion controls shall also be considered to mitigate any potential erosion downstream; and,
 - c. The proposed storm outlets shall be located within the Block 1 property limits. The owner shall obtain an ECA from MECP for the proposed SWM works including LID's on Block 1. The owner will be responsible to maintain, develop and implement a compliance and performance monitoring plan for all LID systems proposed within Block 1 for a minimum of 5 years.
3. That, **prior to preliminary grading**, the Owner agrees to monitor drainage across lands located at 2240 Upper James Street and lands located at 2200 Upper James Street and the airport lands located south of Dickenson Road West from the proposed storm outlet a minimum distance of 250 m east and 250 m south of the subject lands to ensure that the above mentioned existing lands are

not negatively impacted by the subject development. The development impact monitoring plan shall develop baseline conditions of the downstream systems on lands located at 2240 and 2200 Upper James Street and airport lands south of Dickenson Road West, and the monitoring shall occur throughout the construction of the subdivision and for a period of not less than 2 years after all lot/blocks within the approved draft plan are fully developed. In the event a problem arises, the Owner further agrees to take the necessary remedial action as per the monitoring report at their cost. The engineering design and cost estimate schedules for the outlet works shall include a minimum of \$100,000.00 cash security for potential remedial works. The security shall not be released or reduced until it has been demonstrated that there are no impacts as a result of development for a period of not less than 2 years after full buildout of the draft approved plan, all to the satisfaction of the Director, Growth Management & Chief Development Engineer.

4. That, **prior to preliminary grading**, the Owner shall demonstrate that the subject development has riparian rights to drain through private lands located at 2240 and 2200 Upper James Street and the airport lands south of Dickenson Road West downstream. The Owner shall notify the downstream land owner(s) whose properties are traversed by the Twenty Mile Creek Tributaries from the SWM facility outlet to 250 m east and 250 m south of the subject lands, of a proposed SWM outfall, and impending SWM facility construction, to the satisfaction of the Director, Growth Management & Chief Development Engineer.
5. That, **prior to servicing**, the Owner shall include in the design and cost estimate schedules provision to install an adequate culvert on Dickenson Road to convey 100 year controlled flows from the subject site including the 100 year uncontrolled flows from the external drainage areas west of street "A", to the satisfaction of the Director, Growth Management & Chief Development Engineer.
6. That, **prior to servicing**, the Owner agrees to take responsibility to maintain, develop and implement a compliance and performance monitoring plan for all LID systems proposed within the Street "A" right-of-way limit, for a minimum of 5 years and shall provide a \$50,000 security for its operation and maintenance, all to the satisfaction of the Director, Growth Management & Chief Development Engineer.
7. That, **prior to registration of the final plan of subdivision**, the Owner shall pay a proportionate share for the future urbanization of Dickenson Road West based on the City's "New Road Servicing Rate" in effect at the time of payment in accordance with the City's financial policies, along the frontage of Block 1 and Block 2, adjacent to Dickenson Road West to the satisfaction of the Director, Growth Management & Chief Development Engineer.

8. That, **prior to registration of the final plan of subdivision**, the Owner agrees to convey sufficient lands within the area identified as "Block 2" on the draft approved plan to the City for the future collector roadway (east-west corridor) purposes, at no cost and free of encumbrance with the exception of compensation to be paid by the City for any road width beyond 26 metres in accordance with Council's approved financial policies. Furthermore, the determination of the road alignment will be in accordance with the approved East-West Road Corridor Class Environmental Assessment (Schedule C) and such road conveyance shall occur within 30 days following receipt from the City of Hamilton of a Notice of Completion application for a draft plan of subdivision on the lands within which the future collector roadway is located, or at a later date as advised in writing by the City's General Manager, Planning and Economic Development, following completion of the Class Environmental Assessment for the East-West Road (Schedule C) and issuance of the Notice of Completion application, all to the satisfaction of the Director, Growth Management & Chief Development Engineer.
9. That, **prior to registration of the final plan of subdivision**, the Owner agrees that in the event that the City decides to proceed with the construction of the Street "A" extension and east-west collector, the Owner agrees to provide the City with a proportionate share in accordance with the City's Financial Policies to complete the works, to the satisfaction of the Director, Growth Management & Chief Development Engineer.
10. That, **prior to servicing**, the Owner shall include in the engineering design and cost schedules the provision to upgrade the existing Orlick Storm Water Management Pond located at the south west corner of Upper James and Dickenson Road West at 100% their cost. All works related to the upgrading of the pond shall be completed prior to the commencement of any pre-grading works on the subject site, to the satisfaction of the Director, Growth Management & Chief Development Engineer.
11. That, **prior to servicing**, the Owner shall include in the design and cost estimate schedules provision for a "right in-right out" access to Dickenson Road West for Block 1, if required. The Owner further agrees to include the installation of any required road improvements including turning lanes to facilitate this access. All cost related to the entrance and lanes will be 100% Owner's cost, to the satisfaction of the Director, Growth Management & Chief Development Engineer.
12. That, **prior to preliminary grading**, the Owner agrees in writing that the removal of all existing septic beds, wells, and or any structures will be at the sole cost of the Owner to the satisfaction of the Director, Growth Management & Chief Development Engineer.
13. That, **prior to preliminary grading**, the Owner shall obtain permission to perform grading works on lands adjacent to the east limit of Block 1, if required. The City will not permit any pre-grading works until such time as the Owner

provides verification of permission including a letter from the adjacent Owners of lands located at 9196 and 9206 Dickenson Road West (including a drawing signed and stamped by the adjacent Owner agreeing to the proposed works on their property). If the Owner cannot obtain permission for grading on these adjacent lands the City will require grading design alternatives to meet the grades along the east property limit, to the satisfaction of the Director, Growth Management & Chief Development Engineer.

14. That, **prior to servicing**, the Owner be required to relocate, as required, all affected utility poles, hydrants, pedestals, hydro vaults, etc. on Dickenson Road West, along the subject frontage, entirely at the Owner's expense, to the satisfaction of the Director, Growth Management & Chief Development Engineer.
15. That, **prior to servicing**, the Owner shall include in the engineering design and cost estimate schedules provision for the installation of a 1.5 m black vinyl coated heavy-duty chain link fence along the east limit of Block 1, to the satisfaction of the Director, Growth Management & Chief Development Engineer.
16. That, **prior to servicing**, the Owner shall include in the design and cost estimate schedules provision to install a sanitary sewer along Dickenson Road West from Upper James Street to the intersection of the proposed arterial road located within the lands located at 9511 Twenty Road West (City File 25T-201807), in accordance with the City's Financial Policies and in accordance with the AEGD master plan, to the satisfaction of the Director, Growth Management & Chief Development Engineer.
17. That, **prior to servicing**, the Owner shall include in the engineering design and cost estimate schedules provision for the installation of sidewalks/bike lanes on both sides of Street “A”, to the satisfaction of the Director, Growth Management & Chief Development Engineer.
18. That, **prior to preliminary grading**, the Owner agrees to complete and submit to the City a local door-to-door water well survey within the expected radius of influence or within 500 m of the property (whichever is greater) and shall post an adequate security deposit to be used to address any negative impact on the existing water wells due to construction, to the satisfaction of the Director, Growth Management & Chief Development Engineer.
19. That, **prior to servicing**, the Owner shall include in the engineering design and cost estimate schedules provision for the future removal of the temporary turning circles at the north limit of Street “A” at the Owner's expense, to the satisfaction of the Director, Growth Management & Chief Development Engineer.
20. That, **prior to servicing**, the Owner shall include in the engineering design and cost schedules provision for a flushing and monitoring program to address interim water quality maintenance for the watermain along Street “A” until such time as the watermain is extended and looped within the AEGD lands. The

Owner further agrees to reimburse the City of Hamilton for actual costs including administrative costs associated with the flushing, to the satisfaction of the Director, Growth Management & Chief Development Engineer.

21. That, **prior to preliminary grading**, the Owner agrees to provide in writing a plan or procedure for dealing with issues concerning dust control and street cleaning (external roads included) throughout construction within the subdivision. 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 contractor/agent contact information so that the City can direct the work to be completed as necessary, all to the satisfaction of the Director, Growth Management & Chief Development Engineer.
22. That, **prior to servicing**, the Owner agrees to include in the design and engineering cost schedules provision for any temporary works including but not limited to traffic improvement works, pavement widening, turning lanes, sidewalk, street lighting, traffic signals etc., along Dickenson Road West adjacent to Block 1 and Block 2 at 100% the Owner's cost, to the satisfaction of the Director, Growth Management & Chief Development Engineer.
23. That, **prior to servicing**, the Owner shall submit a geotechnical report prepared by a qualified professional engineer including:
 - a. The provision for LID standards in accordance with City standards; and,
 - b. An evaluation to address the soil conditions for the sanitary sewer installation on Dickenson Road West in accordance with the City's Development Guidelines and MECP Guidelines;

All to the satisfaction of the Director of Development Engineering, Growth Management Division.

24. That, **prior to servicing**, the Owner shall submit a Hydrogeological report to the City, prepared by a qualified professional, to assess impacts, identify any significant recharge and discharge zone, and provide recommendations to mitigate the groundwater impacts during any construction within the subdivision, including but not limited to house construction, and to undertake the works as recommended including monitoring. The report shall also provide a groundwater contingency plan to ensure that an appropriate mitigation strategy is available to be implemented in the case whereof:
 - a. An aquifer is breached during excavation;
 - b. Groundwater is encountered during any construction within the subdivision, including but not limited to house construction;

- c. Sump pumps are found to be continuously running; and,
- d. Water supply and sewage disposal systems and any surface and groundwater related infrastructure are negatively impacted;

All to the satisfaction of the Director, Growth Management & Chief Development Engineer.

- 25. That, **prior to preliminary grading**, the owner shall prepare and provide a Construction Management Plan that provides:

- a. Details on any construction activity that will encroach into the municipal road allowance such as construction staging, scaffolding, cranes, etc.;
- b. Location and maximum dimensions of stockpiling;
- c. Identification of any required sidewalk and/or lane closures and the estimated length of time for such closures;
- d. Details on heavy truck routing; and,
- e. Alternate arrangements of any City or school bus routing and stop locations that may be impacted;

All to the satisfaction of the Director, Growth Management & Chief Development Engineer.

Transportation Planning

- 26. That, **prior to servicing**, the Owner shall include in the engineering design and cost estimate schedules provision for the installation of all required works within the intersection of Dickenson Road West & Street ‘A’, including lighting, signage, and pavement markings and further that:

- i. The design shall include the ultimate cross-section of Street ‘A’ which includes the provision of an exclusive southbound left-turn lane with 60 metres of storage and an exclusive westbound right-turn lane with 60 metres of storage; and,
- ii. All costs associated with these works, including but not limited to design and construction, will be at the expense of the Owner;

All to the satisfaction and approval of the Manager, Transportation Planning and Manager, Transportation Operations & Maintenance.

- 27. That, **prior to servicing**, the Owner shall include in the engineering design and cost estimate schedules provision for the installation of all required works within

the intersection of Dickenson Road West and the eastern private driveway access, including street lighting, signage, and pavement markings and further that:

- i. The driveway design includes a right-in/right-out raised concrete diverter island (pork chop) to Dickenson Road West;
- ii. The driveway access shall be designed with a westbound right-turn deceleration lane with 60 metres of storage;
- iii. The design shall restrict all inbound and outbound left turns and be able to accommodate heavy vehicles (large radii required);
- iv. A turning plan shall be required to clearly indicate the turning movements of a TAC WB-20 design vehicle entering and exiting the driveway without encroachments, conflicts or limitations; and,
- v. All costs associated with these works, including but not limited to design and construction, will be at the expense of the Owner;

All to the satisfaction and approval of the Manager, Transportation Planning and Manager, Transportation Operations & Maintenance.

28. That, **prior to servicing**, the Owner shall include in the engineering design and cost estimate schedules provision for the installation of all required works associated with a 3.0 metre wide multi-use trail along one side of Street 'A' (Collector 6E), including signage, and pavement markings and further that:
 - i. All costs associated with these works, including but not limited to design and construction, will be at the expense of the Owner to the satisfaction and approval of the Manager, Transportation Planning.
29. That, **prior to servicing**, the Owner shall provide a pavement marking and signage plan for the overall subdivision to be completed to the satisfaction and approval of the Manager, Transportation Planning and Manager, Transportation Operations & Maintenance.
30. That, **prior to servicing**, the Owner shall include in the engineering design and cost estimate schedules provision for the installation of 1.8 metre sidewalks along one side of Street 'A' and the south side of Street 'B', at the applicant/owner's expense and to the satisfaction and approval of the Manager, Transportation Planning.
31. That, **prior to registration**, the final plan of subdivision shall include a block showing sufficient land to be dedicated to the City of Hamilton as public right-of-way by the Owner's certificate on the plan, to establish the ultimate limit of

Dickenson Road West at 45 metres, to the satisfaction of the Manager of Transportation Planning.

32. That, **prior to registration**, Street 'A' shall be dedicated to the City of Hamilton as public right-of-way by the Owner's certificate on the plan, to establish a road allowance of 30.0 metres, to the satisfaction of the Manager of Transportation Planning.
33. That, **prior to registration**, the Owner shall establish a 12.19 metre x 12.19 metre daylight triangle at the road intersection of Street 'A' and Dickenson Road West, to the satisfaction of the Manager of Transportation Planning.

Development Planning

34. That **prior to registration**, the Owner shall investigate the noise levels on the site and determine and implement the noise control measures that are satisfactory to the City of Hamilton in meeting the Ministry of Environment, Conservation and Parks (MOECP) recommended sound level limits. An acoustical report prepared by a qualified Professional Engineer containing the recommended control measures shall be submitted to the satisfaction of the City of Hamilton, Director of Planning and Chief Planner. Should a peer review of the acoustical report be warranted, all associated costs shall be borne by the Owner and shall be submitted to the satisfaction of the City of Hamilton, Director of Planning and Chief Planner.
35. That, **prior to preliminary grading or servicing**, the Owner shall submit a Tree Protection Plan (TPP) for Block 1 prepared by a tree management professional (i.e., certified arborist, registered professional forester, or landscape architect) showing the location of drip lines, edges or existing plantings, the location of all existing trees and the methods to be employed in retaining trees to be protected to the satisfaction of the Director of Planning and Chief Planner.
36. That, **prior to preliminary grading or servicing**, the Owner is to be aware of the Migratory Birds Convention Act, 1994 and the Endangered Species Act, 2007 and agrees in writing that removal of any vegetation on the subject lands is to occur during October 1 to March 31 by placing notations relating to breeding birds and bat roosting habitats on the Tree Protection Plan.
 - a. Birds: In the event that vegetation removal is proposed during the restricted breeding period, the Owner/Developer shall have a qualified biologist conduct a nest search of the vegetated area with City Natural heritage Planning staff, prior to any work commencing. Accordingly, removal may occur if it is determined that active nests are not present in the proximity of the removal area, to the satisfaction of the Director of Planning and Chief Planner.

- b. Bats: In the event that vegetation removal is proposed during the restricted bat roosting period, the Owner shall contact the Ministry of Environment, Conservation, and Parks (MECP) to determine permitting requirements.
37. That, **prior to preliminary grading or servicing**, the Owner shall prepare and implement a Native Species Transplant Plan for Block 1, to the satisfaction of the Director of Planning and Chief Planner. This Plan will focus on seedlings/saplings within Hedgerow 2 and Mineral Cultural Savannah (as outlined within the Dougan and Associates Environmental Impact Statement, dated Dec. 12, 2022). This Plan is to be prepared by an ecologist and is to include (but not be limited to):
- Transplant Plan: This will outline the following:
 - Methodology;
 - Timing of re-location;
 - GPS co-ordinates and mapping of individuals in current location;
 - GPS co-ordinates and mapping of "donor" areas; and,
 - Photographic records of both the current location and "donor" sites.
 - Written Confirmation: Once the species have been transplanted, a written letter from a qualified botanist is to be submitted to the City of Hamilton.
 - Monitoring: Monitoring of the health of the species is to occur for a period of two years. Two monitoring reports would be required to be submitted (1st report after first full year of monitoring; 2nd report after second full year of monitoring).
 - Securities: The Owner shall deposit sufficient securities with the City of Hamilton for the costs to replace and plant species that do not survive 1 year after transplanting.
38. That, **prior to preliminary grading or servicing**, the Owner agrees that should it be determined through detailed design that grade changes are required, any grade changes must be accommodated outside of the Vegetation Protection Zone (VPZ) of Blocks 2 and 3. Any changes to grading are to be to the satisfaction of the Director of Planning and Chief Planner.
39. That, **prior to registration**, the Owner shall prepare and implement a Vegetation Protection Zone (VPZ) Planting Plan for Block 3, to the satisfaction of the Director of Planning and Chief Planner. The VPZ Planting Plan is to be prepared by a certified landscape architect in consultation with an ecologist and will identify the location and species to be planted within the VPZ. All plantings within the VPZ shall use only non-invasive plant species native to Hamilton.
40. That, **prior to registration**, the Owner shall prepare and implement an Invasive Species Management Plan, to the satisfaction of the Director of Planning and

Chief Planner. This Plan will be prepared by an ecologist and will focus on priority species of Common Buckthorn, exotic Willows, Oriental Bittersweet, and Reed Canary Grass.

41. That, **prior to registration**, the Owner shall prepare and implement a Habitat Enhancement Restoration Plan for Blocks 1 and 3, to the satisfaction of the Director of Planning and Chief Planner. This Plan is to be prepared by an ecologist and is to include snake basking and hibernacula areas, turtle nesting habitat, and enhancement of the stormwater management swale.
42. That, **prior to registration**, the Owner shall prepare and implement a Monitoring Plan for Blocks 1 and 3, to the satisfaction of the Director of Planning and Chief Planner. This Plan is to be prepared by an ecologist and include effectiveness monitoring related to Invasive Species Management, Habitat Enhancement Restoration Plan as well as monitoring of the Provincially Significant Wetland.
43. That, **prior to preliminary grading or servicing**, the Owner agrees that any historic fabric to be removed, including those materials identified in the Documentation and Salvage report prepared by Megan Hobson dated March 27, 2020, be salvaged for re-use, where feasible. Documentation regarding the salvage of these features shall be submitted to the satisfaction and approval of the Director of Heritage and Urban Design.

Legislative Approvals/Staging of Development

44. That, **prior to registration**, the Owner and Agent should work with Legislative Approvals / Staging of Development Staff to finalize street naming and municipal addressing for the individual Lots and / or Blocks, to the satisfaction of the Director, Growth Management & Chief Development Engineer.

Niagara Peninsula Conservation Authority

45. That the Owner submit to the Niagara Peninsula Conservation Authority for review and approval, detailed grading and construction sediment and erosion control plans for Block 1 and Block 3.
46. That limit of work fencing be shown on the grading plan for Block 1 and Block 3 along all portions of the 30 metre wetland buffer and that no grading occur beyond this point, to the satisfaction of the Niagara Peninsula Conservation Authority. Limit of work fencing must be maintained during the development process and all silt fencing shall be removed once work is completed and all exposed soils are re-vegetated or otherwise stabilized.
47. That the Owner submit a Buffer Enhancement/Restoration Plan for Block 1 and Block 3 which provides enhancements to the wetland buffer areas (including any

disturbed wetland area) and to the restored watercourse buffer areas to the satisfaction of the NPCA.

- a. The NPCA has recently developed a Landscape Plan Guideline which can be found as Appendix K of the NPCA's Procedural Manual (https://npca.ca/images/uploads/common/NPCA_Planning_and_Permitting_Procedural_Manual_-_Nov_21_2022%28Compressed%29.pdf), please utilize this guidance document to inform the detailed design of the Enhancement and Restoration Plan.
48. That the Owner obtain a Work Permit from the Niagara Peninsula Conservation Authority prior to the proposed wetland and watercourse buffer enhancement work for Block 1 and Block 3. In support of the Work Permit application, the following information will be required:
- a. A planting plan providing details about species, planting densities and locations; and,
 - b. Any other information as may be determined at the time a Work Permit application is submitted to the Niagara Peninsula Conservation Authority.
49. That the Owner obtain a Work Permit from the Niagara Peninsula Conservation Authority prior to the removal or disturbance of any wetland areas and recreation of the wetlands in Block 1 and Block 3. In support of the Work Permit application, the following information will be required:
- a. A detailed compensation plan that indicates the design of the proposed wetland, construction methodology, material details, etc. (the Developer is to scope this requirement with NPCA staff prior to submitting a Work Permit application);
 - b. A detailed monitoring plan; and,
 - c. Any other information as may be determined at the time a Work Permit application is submitted to the NPCA.
50. That the Owner obtain Work Permits from the NPCA for all other works located within NPCA's regulated areas and buffers within Block 1 and Block 3 (including but not limited to any stormwater outfalls, swales or other works proposed within the regulated features and associated buffers).

All to the satisfaction of the Niagara Peninsula Conservation Authority.

Canada Post

51. 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:
- a. That the home/business 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.
52. 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:
- 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. Maps are also to be proximately displaced in the sales office(s) showing specific Centralized Mail Facility locations; and,
 - e. Provide a 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

53. 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.

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.
2. The Owner acknowledges that an amendment of the current draft plan will be required for the development of the remaining lands owned by the Applicant including Block 2 by preparing and submitting a comprehensive SWM, grading and servicing report to the City and Niagara Peninsula Conservation Authority. The stormwater management, grading, servicing report shall consider the following in accordance with the Airport Employment and Growth District sub-watershed Master Plan recommendations to the satisfaction of the Director, Growth Management & Chief Development Engineer:
 - a. Establish a centralized dry pond on Block 2 to accommodate flood control for the subject development including the external drainage areas to the west as per a comprehensive grading and AEGD Sub-watershed Master Plan;
 - b. Consider an appropriate filter media/landscaped based LID to achieve level 1 water quality control in accordance with the Eco-Industrial Design guideline for the AEGD lands;
 - c. Establish an open channel through Block 2 to convey all external drainage areas from the west limit of the subject lands to the provincially significant wetlands (PSW) located to the east; and,
 - d. A comprehensive grading plan shall be developed to accommodate drainage areas from the future Garth Street Extension and the east west collector on the abutting land to the west, in accordance with AEGD, TMP and the AEGD Sub-watershed Master Plan.

Recycling and Waste Disposal:

3. This industrial development is ineligible for municipal waste collection as per the requirements under the Waste Management System By-law No. 20-221.
4. The Owner acknowledges that there shall be no development or disturbance to the existing grades or vegetation within the 30 metre wide Vegetation Protection Zone adjacent to the Provincially Significant Wetland other than what has been

approved through this subdivision, to the satisfaction of the Niagara Peninsula Conservation Authority.