

**Revised Special Conditions for Draft Plan of Subdivision Approval for
25T- 200303R**

That the following revised special conditions for Draft Plan of Subdivision Approval for 25T-200303R be received and endorsed by City Council:

a) That Condition Nos. 40 and 130 be deleted and replaced with the following:

40. That, **prior to servicing**, the Owner shall indicate all driveway locations on the engineering drawings for all lots and that no driveway shall be within a daylight triangle and further that the driveways for the following lots be established as follows: Lots 1, 41, 55, 58, 59, and 72 on the east side of the lot; Lots 48, 49, 56, 61, and 75 on the west side of the lot; Lots 15 and 78 on the south side of the lot, to the satisfaction of the Director of Development Engineering.
130. That, **prior to servicing**, the Owner prepare an on-street parking plan for Streets "A", "B", "C", "D", "E", and "F" based on the premise of achieving on-street parking for 40% of the total number of dwelling units, to the satisfaction of the Director of Development Engineering.

b) That Condition Nos. 132 to 142 be added:

132. That, **prior to registration of the plan of subdivision**, the Owner acknowledges and agrees that Block 1 shall be undevelopable until such time that adequate sanitary and storm outlet(s) are available at the east end of Bellagio Avenue, to the satisfaction of the Director of Development Engineering.
133. That, **prior to servicing**, the Owner agrees to include in the engineering design and cost estimate schedule the construction of a temporary turning circle at the east limit of Bellagio Avenue, at the Owner's expense to the satisfaction of the Director of Development Engineering.
134. That, **prior to servicing**, the Owner agrees to include in the engineering design and cost estimate schedules provision for the future removal of the temporary turning circle at the east limit of Bellagio Avenue including all associated restoration costs at the Owner's expense, to the satisfaction of the Director of Development Engineering.
135. That, **prior to registration of the plan of subdivision**, the Owner agrees to transfer to the City and designate as public highway, a temporary turning circle at the east limit of Bellagio Avenue. At such time as the City deems the turning circle no longer required, the lands will be transferred back to the Owner. All costs associated with the transfer will be at the Owner's expense. The City will not issue any building permits for the lots/blocks affected or encumbered by the turning circle until such time as it is determined no longer required by the City, all to the satisfaction of the Director of Development Engineering.

Growth Planning:

136. That, **prior to registration of the plan of subdivision**, the Owner shall work with Growth Planning staff to finalize municipal addressing for the individual Lots and Blocks, to the satisfaction of the Director of Growth Management and Chief Development Engineer.

Transportation Planning:

137. That, **prior to servicing**, the Owner shall construct 1.5 metre clear zone width buffered municipal sidewalk along both sides of the proposed municipal right-of-way, to the satisfaction and approval of the Manager of Transportation Planning.
138. That, **prior to servicing**, the Owner shall design and implement 1.5 metres wide bicycle lanes with an additional 0.3 metre buffer area along both sides of Bellagio Avenue by the Owner, to the satisfaction and approval of the Manager of Transportation Operations and Maintenance and the Manager of Transportation Planning.
139. That, **prior to servicing**, the Owner shall prepare and implement a detailed design drawing, prepared by a qualified transportation consultant, to convert each leg of the roundabout at Kingsborough Drive and Bellagio Avenue to a Pedestrian Crossover (PXO) Type D crossing, to the satisfaction and approval of the Manager of Transportation Operations and Maintenance and the Manager of Transportation Planning.
140. That, **prior to servicing**, the Owner shall provide a contribution of \$10,000 for the future implementation of traffic calming measures within the surrounding area, to the satisfaction and approval of the Manager of Transportation Planning.
141. That, **prior to servicing**, the Owner shall dedicate a right-of-way of 26.0 metres for Bellagio Avenue, to the satisfaction of the Manager of Transportation Planning.

Niagara Peninsula Conservation Authority:

142. That, **prior to preliminary grading and/or servicing**, the Owner shall prepare a detailed grading plan, storm servicing, and an erosion and sediment control plan, for the subject property, all to the satisfaction of the Niagara Peninsula Conservation Authority.

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. An "Agreement for On-site Collection of Municipal Solid Waste" must be completed and executed in order to receive municipal waste collection for the residential dwellings on the private road. The developer is responsible for all waste removal up until the time that an "Agreement for On-site Collection of Municipal Solid Waste" is finalized, and municipal collection services are initiated.
3. The developer must provide a signed letter from a professional engineer certifying that the road base along the access route can support at least 35,000 kilograms.
4. Prior to the start of municipal waste collection service, the development must be free of construction debris and construction related activities.
5. If the development is not designed according to specifications identified herein, the developer must:
 - a. Arrange a private waste hauler for the removal of all waste materials.
 - b. As part of the Purchase and Sale Agreement or Rental or Lease Agreement the developer, owner, property manager or agent for the development must disclose in writing to a prospective buyer of a unit within the development that the property is not serviceable for municipal waste collection.