

Special Conditions for Draft Plan of Subdivision Approval for 25T-202405

That this approval apply to the Draft Plan of Subdivision “Part of Lot 28 Concession 7 (Geographic Township of Saltfleet) City of Hamilton” 25T-202405, certified by R.S. Querubin, O.L.S., dated October 25, 2024, consisting of four residential blocks to facilitate the development of five lots for single detached dwellings and two lots for one semi detached dwelling fronting onto Carlson Street (Block 1), and to retain the existing single detached dwellings along Highland Road West (Blocks 2 to 4), 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 technical memo to demonstrate adequate sanitary, stormwater and water servicing for the lots within the proposed Block 1, to the satisfaction of the Director, Growth Management and Chief Development Engineer.
2. That, **prior to preliminary grading**, the owner shall agree in writing to provide an Excess Soil Management Plan to demonstrate how the development will comply with O. Reg. 406/19, addressing registration, assessment, sampling and analysis, characterization, source/destination reporting and tracking requirements, to the satisfaction of the Director, Growth Management and Chief Development Engineer.
3. That, **prior to servicing**, the owner shall submit Grading and Servicing Drawings to confirm that the sewer and water services installed through the construction of the Carlson Street extension are in conformance with City standards for the proposed seven lots within Block 1, to the satisfaction of the Director, Growth Management and Chief Development Engineer.
4. That, **prior to servicing**, the owner shall include in the engineering design and cost estimate schedules, all grading and servicing works at 100% owner’s cost, to the satisfaction of the Director, Growth Management and Chief Development Engineer.
5. That, **prior to registration of the final plan of subdivision**, the owner shall agree in writing, at their expense, to remove, relocate, as may be required, all affected utility poles, hydrants, pedestals, hydro vaults, etc. on Carlson Street, to the satisfaction of the Director, Growth Management and Chief Development Engineer.
6. That, **prior to registration of the final plan of subdivision**, the owner shall agree in writing that the removal of all existing septic beds, garages, playground equipment, wells, fencing, and or any structures will be at the sole cost to the

Owner to the satisfaction of the Director, Growth Management and Chief Development Engineer.

7. That, **prior to registration of the final plan of subdivision**, the owner shall dedicate to the City, an adequately sized right-of-way (road) widening on Highland Road from Block 2, to the satisfaction of the City's Director, Growth Management and Chief Development Engineer.
8. That, **prior to registration of the final plan of subdivision**, the owner shall lift the following 0.3 metre reserves:
 - a. Block 23, Plan 62M-1302; and,
 - b. Block 16, Plan 62M-1134;

all to the satisfaction of the Director, Growth Management and Chief Development Engineer.

Development Planning

9. 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 Jackson Arboriculture Inc. dated December 9, 2024, are implemented.
10. That, **prior to registration of the final plan of subdivision**, the owner shall prepare a Landscape Plan by a certified Landscape Architect showing the placement of one to one compensation for any tree removals, completed in accordance with the Tree Management Plan prepared by Davey Resource Group dated December 9, 2024, to the satisfaction of the Director of Planning and Chief Planner.
11. That, **prior to registration of the final plan of subdivision**, the owner shall submit Urban Design Guidelines, to the satisfaction of the Director of Planning and Chief Planner.
12. That, **prior to registration of the final plan of subdivision**, the owner's agree that a "Control Architect", independent of the "Design Architect" firm or individual, shall be retained to the satisfaction of the Director of Planning and Chief Planner, and whose function shall be to ensure, amongst other matters, the appropriate development of each lot with respect to siting, built form, materials, colours and landscaping in compliance with the approved Urban Design Guidelines; and, to certify, through stamping and signing, all drawings for the development of each

lot and or block subject to the architectural guidelines prior to the issuance of any building permit(s).

13. That, **prior to registration of the plan of subdivision**, the owner shall provide the letter acceptance form from the Ministry of Citizenship and Multiculturalism to the City of Hamilton, to the satisfaction of the Director of Planning and Chief Planner.

Bell Canada

14. That, **prior to registration of the plan of subdivision**, the owner acknowledges and agrees to convey any easement(s) as deemed necessary by Bell Canada to service this new development. The owner further agrees and acknowledges to convey such easements at no cost to Bell Canada.
15. That, **prior to registration of the plan of subdivision**, the owner agrees that should any conflict arise with existing Bell Canada facilities where a current and valid easement exists within the subject area, the owner shall be responsible for the relocation of any such facilities or easements at their own cost.

Union Gas

16. That, **prior to registration of the final 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.

Growth Planning:

17. That, **prior to registration of the plan of subdivision**, the owner shall work with Legislative Approvals staff to finalize municipal addressing, to the satisfaction of the Director, Growth Management and Chief Development Engineer.

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 No. 20-221, as amended.