

**CONSULTATION – DEPARTMENTS AND AGENCIES**

Department/Agency	Comment	Staff Response
<ul style="list-style-type: none"> <li>• Commercial District and Small Business Section, Economic Development Division, Planning and Economic Development Department;</li> <li>• Hydro One; and,</li> <li>• Hamilton Conservation Authority.</li> </ul>	<p>No comment.</p>	<p>Noted.</p>
<p>Development Engineering Section, Growth Management Division, Planning and Economic Development Department.</p>	<p>Development Engineering is in support of the approval of the submitted Zoning By-law Amendment and Draft Plan of Subdivision applications, subject to the proposed Special Conditions, which will address any remaining technical comments related to the water, wastewater, and stormwater servicing of the proposed development. The proponent has demonstrated a functionally adequate stormwater management proposal and has also demonstrated that the existing municipal sanitary and water systems can support the proposed development.</p> <p>The Owner shall pay 100% of the total cost of the road urbanization of Hamilton Drive fronting the subject site (North and South of the intersection) to Hamilton Drive bend (up to MH20) including the installation of the storm sewer from MH17-MH20 as per the Preliminary Servicing Plan 1 of 2. The City will be responsible for 100% of the cost of the road urbanization from the existing terminus (445 Hamilton Drive) to the east of Hamilton Drive bend up to MH20 (East and West of the intersection), including the installation of the storm sewer from MH18-MH20.</p>	<p>Noted.</p> <p>The required materials and revisions are being addressed through the recommended conditions of Draft Plan approval. Please refer to Special Condition Nos. 1, 2, 10 through 30 and 32 through 39 in Appendix D attached to Report PED25036.</p>

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<p>Development Engineering Section, Growth Management Division, Planning and Economic Development Department. <b>(continued)</b></p>	<p>The City will pay 50% of the total cost of the construction of the proposed storm sewer outlet within the easement (from MH20 to HW21.1). All the costs shall be included in Schedule F of the Subdivision Agreement.</p> <p>The owner must obtain a 9.0 metre wide easement for storm sewer outlet and overland flow route from Hamilton Drive to the existing watercourse at the south limit of the property 429 Hamilton Drive.</p>	
<p>Transportation Planning Section, Transportation Planning and Parking Division, Planning and Economic Development Department</p>	<p>Transportation Planning supports the proposed development. To protect the existing and future pedestrian realm, cycling infrastructure and road network, Transportation Planning shall require the following:</p> <ul style="list-style-type: none"> <li>• 1.5 metre clear width sidewalk shall be provided on both sides of all proposed municipal roads within the subject lands;</li> <li>• Approximately 3 metres is to be dedicated to the Hamilton Drive right-of-way;</li> <li>• The extension of Braithwaite Avenue shall be 20.0 metres wide, which is consistent with the existing roadway;</li> <li>• Daylighting triangles of 9.14 metres by 9.14 metres are to be dedicated to the City of Hamilton and shall be illustrated on the Draft Plan of Subdivision and all future plans;</li> <li>• A revised pavement marking, and signage drawing has not been provided and a stop sign is required on the approach of Braithwaite Avenue at the intersection to Hamilton Drive; and</li> <li>• Transportation Planning accepts the proposed parking plan as all parallel on-street parking stalls proposed meet the requirements of the City of Hamilton.</li> </ul>	<p>Noted. The requirements will be addressed through the recommended conditions of Draft Plan approval. Please refer to Special Condition Nos. 3 through 9 and 31 in Appendix D attached to Report PED25036.</p>

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<p>Legislative Approvals, Growth Planning Section, Growth Management Division, Planning and Economic Development Department</p>	<p>It should be determined who will be responsible to remove the turning circle at the westerly terminus of the existing Braithwaite Avenue in order to facilitate the proposed extension of Braithwaite Avenue i.e. the works and associated costs. Staff defer to Development Engineering Approvals for further comment.</p> <p>It should be determined if there are any implications arising from the adjacent Registered Plan of Subdivision, 62M-1002 (25T-96002), e.g. cost recoveries relating to the registered plan or any reserves to be lifted. It is noted that the subject lands are also adjacent to a defined area of cost recovery. Staff defer to Development Planning and / or Development Engineering Approvals for further comment.</p> <p>The owner and agent should be made aware that the addresses for this proposal will be determined through the Draft Plan of Subdivision process.</p>	<p>Noted.</p> <p>The applicant is responsible to work with Legislative Approvals to finalize municipal addressing. This is being addressed through a condition of Draft Plan Approval. Please refer to Special Condition No. 40 of Appendix D attached to Report PED25036.</p>
<p>Forestry and Horticulture Section, Environmental Services Division, Public Works Department</p>	<p>A revised Landscape Plan be submitted and approved and shall include details surrounding the stormwater management facility block. Also, cash-in-lieu of street trees will be considered along the frontage of the stormwater management facility, however, the remainder of the development will be determined through the Subdivision Agreement.</p>	<p>Noted.</p> <p>This is being addressed through conditions of Draft Plan Approval. Please refer to Special Condition Nos. 51 and 58 of Appendix D attached to Report PED25036.</p>
<p>Waste Policy and Planning Section, Waste Management Division, Public Works Department</p>	<p>The residential dwellings can be serviceable for municipal waste collection if the requirements under the City of Hamilton Solid Waste Management By-law No. 20-221 are adhered to.</p>	<p>Noted.</p> <p>The developer is responsible for all waste removal up until the time that municipal collection services are initiated. Note 6 has been included in Appendix D attached to Report PED25036.</p>

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<p>Landscape Architectural Services, Strategic Planning Division, Public Works Department</p>	<p>Cash-in-lieu of parkland dedication will be requested at the building permit stage.</p>	<p>Noted.</p> <p>The Cash-in-lieu payment will be required and addressed at the future Building Permit stage and a Draft Plan Condition confirming this requirement has been included.</p>
<p>Ministry of Transportation</p>	<p>There is no objection in principle with the proposed rezoning and draft plan of subdivision applications. All above and below ground structures (including but not limited to, frontage roads, fire routes, stormwater management facilities [ponds/drainage channels], retaining walls and servicing/utilities) must be setback a minimum of 14.0 metres from all ministry property limits. Please ensure that the ministry's setback requirements are stipulated in the zoning by-law.</p> <p>Noise Attenuation features (e.g. earth berms) must be contained within the subject lands and setback a minimum of 0.3 metres from all Ministry property limits.</p> <p>Encroachment onto the highway right-of-way will not be permitted. MTO does not permit any lighting trespass onto the ministry's right-of-way. Direct access to ministry lands will not be permitted. All access to the subject site will be via the municipal road system.</p> <p>The Ministry has requested the following Conditions of Draft Plan approval:</p> <p>1. That prior to final approval, the owner shall submit to the Ministry of Transportation for their review and approval, a stormwater management report indicating the intended treatment of the calculated runoff.</p>	<p>Zoning By-law No. 05-200 contains General Provision 4.23 a) regarding setbacks from a provincial highway and requires that all buildings, structures, parking areas and stormwater management facilities not be located within 14 metres of the right-of-way.</p> <p>Noted. Special Condition Nos. 59 and 60 of Draft Plan approval have been incorporated in Appendix I attached to Report PED25036.</p> <p>In addition, staff have applied Notes 2 through 5 in Appendix D attached to Report PED25036 to convey the Ministry of Transportation's instructions regarding clearing the applicable conditions.</p>

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<p>Ministry of Transportation <b>(continued)</b></p>	<p>2. That prior to final approval, the owner shall submit to the Ministry of Transportation for their review and approval, detailed grading, servicing, and internal road construction plans.</p>	
<p>Bell Canada</p>	<p>The following are to be included as a condition of approval:</p> <p>Bell Canada Condition(s) of Approval:</p> <ul style="list-style-type: none"> <li>• 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; and,</li> <li>• 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.</li> </ul> <p>Upon receipt of this comment letter, the Owner is to provide Bell Canada with servicing plans/CUP at their earliest convenience to <a href="mailto:planninganddevelopment@bell.ca">planninganddevelopment@bell.ca</a> to confirm the provision of communication and telecommunication infrastructure needed to service the development. It shall be noted that it is the responsibility of the Owner to provide entrance/service duct(s) from Bell Canada's existing network infrastructure to service this development.</p> <p>In the event that no such network infrastructure exists, in accordance with the <i>Bell Canada Act</i>, the Owner may be required to pay for the extension of such network infrastructure. If the Owner elects not to pay for the above noted connection, Bell Canada may decide not to provide service to this development.</p>	<p>Noted.</p> <p>Special Condition No. 64 of Draft Plan approval has been incorporated in Appendix D attached to Report PED25036.</p>

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<p>Enbridge Gas</p>	<p>Enbridge Gas does not object to the proposed application(s) however, we reserve the right to amend or remove development conditions. This response does not signify an approval for the site/development.</p> <p>This response does not constitute a pipe locate, clearance for construction or availability of gas. The applicant shall use the 'Enbridge Gas Get Connected tool' to determine gas availability, service, and meter installation details and to ensure all gas piping is installed prior to the commencement of site landscaping and/or asphalt paving.</p> <p>If the gas main needs to be relocated as a result of changes in the alignment or grade of the future road allowances or for temporary gas pipe installations pertaining to phased construction, all costs are the responsibility of the applicant.</p> <p>In the event that easement(s) are required to service this development, and any future adjacent developments, the applicant will provide the easement(s) to Enbridge Gas at no cost.</p> <p>The applicant will contact Enbridge Gas Customer Service prior to any site construction activities to determine if existing pipe facilities need to be relocated or abandoned.</p>	<p>Noted.</p> <p>Special Condition No. 67 of Draft Plan approval has been incorporated in Appendix D attached to Report PED25036 to address Enbridge Gas's comments.</p>