

Chapter 5

Above-Ground Plant

Location

The conditions outlined herein shall apply at all locations; however, in general, more scrutiny will be used in reviewing applications to install above-ground plant:

- on major or minor arterial streets.
- within the downtown central areas, defined in the Hamilton Official Plan which can be found at:

www.hamilton.ca/CityDepartments/PlanningEcDev/Divisions/StrategicServicesSpecialProjects/Policy+Planning/HamiltonNewOfficialPlan

Justification

Applications or drawings that include proposed above-ground plant shall include an explanation of the reason why this plant cannot be installed below ground.

Complete Streets

Any above-grade installations within the street shall conform to the Complete Streets for Canada Design guidelines: “Complete Streets by Design”. These guidelines, which the City of Hamilton helped develop, are available on the Complete Streets for Canada website at: <http://completestreetsforcanada.ca/complete-streets-design>

Visibility & Aesthetic Treatments

Permit applications for work defined as full-stream that include above-ground plant shall include consideration to reducing the negative visual impact to passing motorists, pedestrians and adjacent property owners while still allowing the Applicant to freely access and properly service the plant and provide its services to its customers.

Utility infrastructure is not to be placed in the day light triangles. Refer to [Appendix T, Minimum Requirements for Visibility Clearance](#).

Applications or drawings shall describe the proposed aesthetic treatment so that the General Manager can evaluate the suitability and potential impact.

Examples of aesthetic treatments include, but are not limited to: placement in locations of minimal visual impact; landscaping around the plant; painting the plant; decorative covers; placement of plant behind existing physical features. The treatment must be supplied and installed during the time of equipment installation. The Applicant shall be responsible for the maintenance of the aesthetic treatment to the satisfaction of the General Manager.

Notification

The Applicant shall provide written notification to all adjacent properties, and all properties that will face or will have a line of sight to the proposed plant. Such notification shall outline the nature of the work and clearly describe the size, appearance and location of the proposed plant. The notice shall include the phone number of a contact person at the Applicant's office.

A copy of the notification and a list of the addresses of all residents the notice has been sent to shall be submitted with the application. The General Manager may perform random spot checks on the list to ensure that the notification is being done.

Business Improvement Areas

If the proposed location of the plant falls within the boundaries of a Business Improvement Area (BIA), the Applicant shall ensure that they notify the BIA and address any objections regarding the proposed plant and its location in the following manner.

The Applicant shall notify the BIA, in writing, and outline the nature of the work, clearly describing the size, appearance and location of the proposed above ground plant. The notification shall include the phone number of a contact person at the Applicant's office and the phone number of the appropriate district permit office.

The notification shall include clear wording to indicate that a response from the BIA outlining the specifics of any objection to the proposed plant.

Where the BIA reasonably objects with the proposed work, and where the Applicant has exhausted all negotiation measures, the General Manager will attempt to work with the Applicant and the BIA to reach a mutually acceptable agreement. If an agreement cannot be reached, the General Manager will advise the Applicant on what escalation measures or other options may be available.

A copy of the notification and the BIA's response, if any, shall be submitted with the full-stream application. The General Manager may contact the BIA to confirm their receipt of the notification.

A listing of Hamilton's BIAs can be found at:

www.hamilton.ca/CityDepartments/CorporateServices/Clerks/BIA_subcommitteelisting.htm

Pole Installation Protocol

An incoming permit must outline the location of the proposed pole in relation to:

- City infrastructure
- ditches, top/bottom of banks
- driveways, curbs, road edges, sidewalks
- trees, driplines

The permit application drawing must depict guy and anchor locations clearly. In the event of proximity to ditching, pole setting depths must be calculated to allow ditch maintenance.