

ATTACHMENT F:

Changes to Township Conditions of Draft Approval – New Hamburg Lrs

March 2021 draft approval conditions with proposed 2023 modifications.

Modifications are shown in **red** text with deletions identified with ~~strikethrough~~ text.

That Council recommend to the Region of Waterloo the following conditions of draft approval for Draft Plan of Proposed Subdivision 30T-19602:

1. That this approval applies to plan of subdivision 30T-19602 by MHBC Planning, dated ~~February 2, 2021~~ **March 9, 2023**, which shows a total of 13 industrial development blocks, 1 emergency access block, 3 drainage channels, 1 walkway block, 5 reserve blocks (0.3m), 2 streets, and one piece of retained land to be developed in ~~2 stages~~ **1 stage**.
2. That the following shall be conveyed to the Township of Wilmot for the purposes stated therein, at no cost and free and clear of all encumbrances:
 - a) ~~Stage 1, Blocks 7, 8 and 9~~ **15, 16 and 17** as overland drainage channels;
 - b) ~~Stage 1, Block 10~~ **18** as a walkway;
 - c) ~~Stage 1, Blocks 11, 12, 13, 14 and 15~~ **19, 20, 21, 22 and 23** as 0.3m Reserves;
and
 - d) ~~Stage 2, Block 8~~ **14** as an emergency access block
3. That prior to the registration of ~~Stage 2~~ the subdivider shall provide or otherwise make arrangements for the connection of ~~Street Two~~ **Hahn Brass Way** to ~~Street Three~~ **Vernon Erb Drive** in Plan 30T-19601.
4. That prior to registration the subdivider shall enter into a subdivision agreement with the Township which will cover all planning and engineering aspects of the development and identify in detail applicable Township standards and specifications relative to municipal services. The agreement will further address all requirements, financial and otherwise of the Township of Wilmot concerning the provision of roads and the installation of services, facilities and drainage, landscaping, the payment of fees and provision of financial securities and deposits to ensure the proper and orderly completion of the development.
5. That the subdivider shall make satisfactory arrangements with Kitchener-Wilmot Hydro for the provision of permanent electrical services to the plan, prior to registration. The Subdivider further agrees that should permanent installations be impractical at the time, to pay all costs incurred through the provision of temporary electrical services and the removal of such services when permanent installations are possible.

6. That street lighting shall be provided at the owner's expense in accordance with the standards and specifications of the Township of Wilmot, the Region of Waterloo and Kitchener-Wilmot Hydro.
7. That prior to or concurrent with the registration of any Stage the subdivider shall grant any easements required for utility or municipal servicing purposes.
8. That prior to any grading or construction on site and prior to registration of the plan, the owners or their agents submit the following plans and reports to the satisfaction of the Grand River Conservation Authority, the Region of Waterloo and the Township of Wilmot:
 - a) A detailed stormwater management report in accordance with the 2003 Ministry of the Environment Report entitled "Stormwater Management Planning and Design Manual";
 - b) A detailed Lot Grading, Servicing and Storm Drainage Plan;
 - c) An Erosion and Sedimentation Control Plan in accordance with the Grand River Conservation Authority's Guidelines for sediment and erosion control indicating the means whereby erosion will be minimized and sediment maintained on-site throughout all phases of grading and construction; and,
 - d) The approval and issuance of a Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Permit from the GRCA prior to the construction in a wetland and/or grading in a regulated area and/or construction of the Stormwater Management outlet in a regulated area.
9. That the subdivider agree to complete and maintain the above works in accordance with the approved plans and reports noted in condition 8.
10. That prior to registration the subdivider shall confirm that a legal outlet for post-development stormwater flows has been secured to the satisfaction of the Township.
11. That the subdivider agrees to obtain and comply with all necessary Environmental Compliance Approval (ECA) requirements from the Ministry of Environment, Conservation and Parks (MECP) for stormwater management and Form 1 for Township and Region for watermain works.
12. That, prior to the issuance of any building permits, the owner of any lot or block on which the building is proposed shall pay the applicable development charge in force at the time of building permit issuance.
13. That the subdivider agrees to provide all prospective purchasers with a copy of the grading control plan and a copy of the subdivision agreement.

14. That the subdivider shall submit a landscaping plan prepared by a qualified landscape architect for boulevard tree plantings and ~~Stage 1, Blocks 7, 8, 9 and 10 and Stage 2, Block 8~~ **Blocks 15, 16, 17 and 18** to be approved by the Township.
15. That the Subdivider shall landscape ~~Stage 1, Blocks 7, 8, 9 and 10 and Stage 2, Block 8~~ **Blocks 15, 16, 17 and 18** in accordance with the approved plan required in condition 14 above.
16. That all streets shall be constructed by the subdivider in accordance with the specifications and requirements of the Township and as identified within the Subdivision Agreement.
17. That the streets shall be named to the satisfaction of the Township of Wilmot and said names shall be assigned by the Township of Wilmot within the Subdivision Agreement.
18. That the subdivider shall pay, prior to registration, 100% of the cost of regulatory street signs.
19. That should the development of 30T-19602 be able to proceed prior to the development of 30T-19601, the unopened road allowance owned by the Township of Wilmot and linking ~~Street One~~ **Howie Meeker Blvd.** to Nafziger Road is to be rebuilt to urban industrial standards and that the Township will repay the subdivider for the actual costs of the works to a maximum of 100% of the preliminary estimate (MTE, 2019) which shall be further and specifically defined within the subdivision agreement.
20. That should the development of 30T-19602 be able to proceed prior to the development of 30T-19601, the subdivider shall provide any easement necessary for the purposes of a temporary turning circle to the satisfaction of the Township of Wilmot. The Township shall release the easement concurrent with the registration of 30T-19601.
21. That should the development of 30T-19602 be able to proceed prior to the development of 30T-19601, a separated asphalt boulevard multi-use trail (MUT) with a minimum width of 3.0m shall be constructed along the north side of the unopened road allowance and a concrete sidewalk with a minimum width of 1.5m shall be constructed along the south of the unopened road allowance to Nafziger Road. The Township shall repay the developer for the portions of the MUT and sidewalk within the limits of the unopened road allowance.
22. That the subdivider will provide a master utility locate plan for all services to the specifications and satisfaction of the Township of Wilmot.
23. That all lands abutting Blocks to be conveyed to the ownership of the Township of Wilmot, adjacent lands owned by the Township of Wilmot and the easterly property

lines of the development which abuts existing industrial development to the east be fenced or otherwise appropriately delineated to the satisfaction of the Township of Wilmot.

24. That prior to the review of detailed engineering designs and prior to release of the plan for registration, the subdivider shall pay the Township fees to cover Township administration, planning, engineering and legal fees related to the processing, approval and monitoring of this plan in accordance with the fees and charges Bylaw of the Township of Wilmot.
25. That, prior to the final approval of Stage 1 **registration**, the owner shall complete or secure the completion of the necessary extensions of southbound left turn lanes on Hamilton Road (5m) and Nafziger Road (15m) in accordance with the approved Traffic Impact Study (TIS) to the satisfaction of the Township of Wilmot, the Region of Waterloo and the Ministry of Transportation.
- ~~26. That prior to final approval of Stage 2, the owner shall submit to the Ministry of Transportation for their review and approval, a copy of a Traffic Impact Study prepared in accordance with Ministry of Transportation requirements, indicating the anticipated traffic volumes and their impact upon the intersection of Highway 7/8 at Hamilton Road and Highway 7/8 at Nafziger Road.~~
26. That prior to registration, the Township, the Ministry of Transportation and other parties as deemed necessary enter into an agreement or agreements to secure the following:
 - a. establish the entirety of Blocks 1-13 as being within the MTO control area;
 - b. that upon issuance of MTO and municipal permits for a cumulative gross floor area of 250,000 square feet within Blocks 1-13 (hereinafter referred to as the "Cap") no additional Building and Land Use permits will be issued until the owner has submitted to the Ministry of Transportation for their review and approval, a copy of a Traffic Impact Study prepared in accordance with Ministry of Transportation requirements, indicating the anticipated traffic volumes and their impact upon the intersection of Highway 7/8 at Hamilton Road and Highway 7/8 at Nafziger Road;
 - c. that subsequent owners of any part of the development lands be advised that any existing buildings within the development will have used up some or all of the Cap, so there may be little or no Cap remaining to be utilized by such other subsequent owners before the Traffic Impact Study and subsequent highway improvements are completed;
 - d. that should the Traffic Impact Study identify additional improvements to accommodate ~~Stage 2 of the subdivision~~ **additional floor area beyond the 250,000 square feet identified in Condition 26b**, funding arrangements for the design and construction of the Highway 7/8 improvements shall be made to the satisfaction of the Ministry of Transportation and Township of Wilmot in consultation with the Region of Waterloo and Owners ~~prior to final approval of Stage 2~~ **prior to issuance of any additional Building and Land Use permits.**

e. that the Owners shall be financially responsible only for the portion of works attributable to the traffic generated from the development of their lands and the Township, Region and MTO shall be financially responsible for their respective portions of the intersection improvements attributable to the traffic from all other sources, as documented in the approved Traffic Impact Study.

27. That prior to release of the plan for registration, the subdivider will provide the Township of Wilmot with a detailed description of how each condition of draft approval has been satisfied.