

## ATTACHMENT E: Changes to Township Conditions of Draft Approval

### 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-19601:

1. That this approval applies to plan of subdivision 30T-19601 by MHBC Planning, dated ~~January 25, 2021~~ **August 30, 2022**, which shows a total of 6 industrial development blocks, 2 stormwater management blocks, ~~4~~**3** drainage channels, ~~5~~**4** reserve blocks (0.3m) and 3 streets proposed 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 5 and 6~~ **6 and 7** as a stormwater management facility;
  - b) ~~Stage 1, Blocks 7, 8, 9 and 10~~ **9, 10 and 11** as overland drainage and servicing channels; and,
  - c) ~~Stage 1, Blocks 11, 12, 13, 14 and 15~~ **12, 13, 14, and 15** for 0.3m reserves
- ~~3. That prior to the registration of Stage 1 the subdivider shall provide an easement for the purposes of a temporary turning circle at the terminus of Street Two to the satisfaction of the Township of Wilmot. The Township shall release the easement concurrent with the registration of Stage 2.~~
3. **That a 9m easement be conveyed to the Township of Wilmot along the west side of Block 1 for the purposes of preserving a landscaped 9m buffer along west property line that abuts residential development.**
4. That 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, ~~the noise attenuation berm~~ **the 9m**

buffer along the west side of Block 1 and Blocks ~~5, 6, 7, 8, 9 and 10~~ 7, 8, 9, 10, and 11 to be approved by the Township.

15. That the Subdivider shall landscape the ~~noise attenuation berm and Blocks 5, 6, 7, 8, 9 and 10~~ 9m buffer along the west side of Block 1 as well as Blocks 7, 8, 9, 10, and 11 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 the road allowances linking ~~Street One~~ Howie Meeker Blvd. to Hamilton Road and Nafziger Road are 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 a separated asphalt boulevard multi-use trail (MUT) with a minimum width of 3.0m shall be constructed along the north/east side of ~~Street One~~ Howie Meeker Blvd. and a concrete sidewalk with a minimum width of 1.5m shall be constructed along the south/west side of ~~Street One~~ Howie Meeker Blvd. from Hamilton Road to Nafziger Road. The Township shall repay the developer for the portions of the MUT and sidewalk within the limits of the unopened road allowances linking ~~Street One~~ Howie Meeker Blvd. to Hamilton Road and Nafziger Road. The developer shall be responsible for the costs within the limits of ~~Street One~~ Howie Meeker Blvd.
21. That sidewalks on all other streets shall be constructed to the standard, in the location and of the width specified by the Township of Wilmot.
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 westerly property line of the development which abuts residential development shall 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 issuance of any building permits in Stage 1, a 2.5m landscaped earthen berm shall be installed along the western edge of Block 2, Stage 2 in accordance with recommendations contained in the Badenview Industrial Subdivision Air Quality & Noise Compatibility Study (Novus Environmental Inc, December 19, 2018).~~
- ~~26. That, prior the construction of the earthen berm required by condition 24 above, detailed design drawings, including grading and landscaping plans, shall be prepared for the berm to the satisfaction of the Township of Wilmot.~~
- ~~27. That, the subdivider convey an easement to the Township of Wilmot over the lands containing the earthen berm required by condition 25 above, to ensure the berm is retained and landscaping maintained for the lifetime of the development.~~
25. That, the subdivider enter into an agreement with the Township of Wilmot that, prior to the issuance of a building permit on Block 1 or 2, ~~Stage 2~~, or future parts thereof, the owner shall have a noise assessment prepared by a qualified professional engineer, to determine if individual lot mitigation measures are required and that said assessment be prepared and reviewed to the satisfaction of the Township of Wilmot and the Region of Waterloo.
26. 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.
- ~~27. 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.~~
27. 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 1-5 as being within the MTO control area;
  - b. that upon issuance of MTO and municipal permits for a cumulative gross floor area of 750,000 square feet within Blocks 1-5 (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 750,000 square feet identified in condition 27b, 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.

- 28. 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.