



## **CITY OF KITCHENER CONDITIONS REQUIRED FOR ISSUANCE OF SITE PLAN APPROVAL**

The following is a list of conditions requiring completion to the City's Satisfaction prior to Site Plan Approval being granted

- A. **Prior to the commencement of any grading on the site**, the Owner agrees to fulfil each of the conditions which follow:

### **EROSION AND SILTATION CONTROL**

- (1) to show all erosion and siltation control features in detail on a Grading and Drainage Control Plan hereinafter described in Section B(2); to the satisfaction of the (*City's Chief Building Official or the City's Engineering Services and the Regional Municipality of Waterloo or Ministry of Transportation*); and to implement all such erosion and siltation control measures. The Owner further agrees to maintain all such measures to the satisfaction of *the [City's Chief Building Official or the City's Engineering Services]* until the site has been fully developed as determined by the City's Supervisor of Site Plan Development.

### **TREE MANAGEMENT**

- (2) to prepare a Tree Preservation/Enhancement Plan as required by the City's Tree Management Policy in effect on the date of the application for site plan approval granted under this Agreement; and to show on the Landscape Plan hereinafter described in Section B(5), the location of drip lines, edges and existing plantings, the location of all existing trees and the method to be employed in retaining trees required to be protected; to obtain approval thereof from the City's Supervisor of Site Plan Development; and to implement all approved tree saving measures.

### **FILL PERMITS**

- (3) to obtain Fill, Construction and Alteration to Waterways Permits from the Grand River Conservation Authority and provide the City's Chief Building Official with copies thereof.

### **UTILITY EASEMENTS**

- (4) to grant to the (*City, Kitchener-Wilmot Hydro, or Regional Municipality of Waterloo*), without cost and free of encumbrance, the easement(s) as indicated on the Site Plan.

- B. **Prior to Site Plan Approval** for the proposed development, the Owner agrees to fulfil each of the conditions which follow:

### **SATISFY PRE-GRADING**

- (1) satisfy all pre-grading conditions set out in Section A above.

### **GRADING AND DRAINAGE CONTROL**

- (2) to prepare a detailed Grading and Drainage Control Plan, including infiltration of rooftop runoff where soil conditions permit, showing drainage details for the subject property, abutting properties and public rights-of-way so as to ensure compatible drainage, and to show thereon all existing and proposed connections to the municipal storm sewer, and all detailed erosion and siltation control features; all to the satisfaction of the (*City's Chief Building Official or the City's Engineering Services and The Regional Municipality of Waterloo or Ministry of Transportation*).

### **STORM WATER MANAGEMENT DESIGN**

- (3) to submit to the satisfaction of the City's Engineering Services a detailed engineering design for storm water management or to receive from the Engineering Services an exemption from this requirement.

### **ROAD WIDENINGS**

- (4) to convey to the City, without cost and free of encumbrance, the road widening and/or daylighting triangles as indicated on the Site Plan.

### **LANDSCAPE PLAN**

- (5) to prepare a Landscape Plan showing planting and surfacing details for all areas not covered by buildings, structures, loading areas or parking areas; and to obtain approval thereof from the City's Supervisor of Site Plan Development.

### **INTERIOR GARBAGE STORAGE/OUTDOOR GARBAGE CONTAINERS**

- (6) to show the following on the required Landscape Plan:
- (i) the location of any vaults, central storage and collection areas, or other facilities for the storage of garbage and recyclable material, including those which may be internal to a proposed or existing building; or
  - (ii) the location of any outdoor garbage and recycling containers and details for a supporting concrete pad and, if required by the City's Supervisor of Site Plan Development, a roofed enclosure having a height sufficient to conceal the containers.

## **FENCING/VISUAL BARRIERS**

- (7) to obtain approval of the construction details of all fencing and visual barriers as indicated on the Site Plan, from the City's Supervisor of Site Plan Development, as part of the approval of the Landscape Plan.

## **BOULEVARD SODDING**

- (8) to show on the required Landscape Plan, planting and surfacing details for the portion of all adjacent public property located between the sidewalks, curbs or streets and the Owner's property line so as to ensure a contiguous landscaped area between the public streets and the Owner's proposed development.

## **TREATMENT OF FUTURE DEVELOPMENT AREAS**

- (9) to make provision on the required Landscape Plan for the surface treatment of areas intended for future development so as to prevent the occurrence of noxious weeds and erosion.

## **SITE LIGHTING - DESIGN**

- (10) to prepare a Site Lighting Plan, including lighting for any underground parking facilities, and to obtain approval thereof from the City's Supervisor of Site Plan Development.

## **MULTIPLE UNIT IDENTIFICATION SIGN**

- (11) to prepare a concept plan for a multiple unit identification sign, in accordance with the Multiple Unit Identification Policy in effect on the date of issuance of the first building permit for development of the lands in accordance with this Agreement; and to obtain approval thereof from the City's Chief Fire Prevention Officer.

## **COST ESTIMATE AND LETTER OF CREDIT**

- (12) (i) to provide a cost estimate for 100% of the total cost of all "site development works" to be done by the Owner, as required by this Agreement. Such a cost estimate shall include materials, installations, removals, closures and restorations, project management/co-ordination, and site supervision, inspection and certification of all site development works, and shall be in a form satisfactory to the City's Supervisor of Site Plan Development.

- (ii) "Site Development Works" to be done by the Owner shall include the following:

- (a) *On Site works:*

Storm water management facilities and rough grading; plant material; landscape paving essential to the functioning of the site, landscape structures including but not limited to fencing, screen walls, retaining walls, roofed enclosures for garbage and recyclable materials, planters; fine grading; sodding and seeding; curbing; concrete sidewalks, lighting; paving for vehicular traffic and parking and demarcation of parking on pavement; and

(b) *Off Site works:*

closure of redundant driveways; installation of driveway ramps; fine grading and sodding or other approved landscaping within the boulevard. Additional required off-site works may be done by the City at the Owner's cost, as specified in this Agreement.

(iii) to provide a Letter of Credit to the City's Supervisor of Site Plan Development for 50% of the total cost of all site development works in a form satisfactory to the City Solicitor, to be held by the City as security for the completion of the site development works required in the Section 41 Development Agreement.

### **OFF SITE WORKS BY CITY**

- (13) to make arrangements, financial and otherwise, to the satisfaction of Engineering Services, for 100% of the cost of:
- (i) the removal of any redundant service connections and the installation of all new service connections to the property;
  - (ii) the installation of new curb and gutter for the closure of all redundant driveways;
  - (iii) the installation of (a) 1.5 metre wide, concrete sidewalk(s) on the street(s) in the location(s) generally shown on the Site Plan; and
  - (iv) the installation of new curb and gutter along the street frontage(s).

### **REGIONAL CONDITIONS**

- (14) to arrange for notification, by letter from The Regional Municipality of Waterloo to the City's Chief Building Official, that any required Regional conditions with respect to Section 41(8) of the Planning Act relating to access to and from Regional road; off-street loading, parking and access driveways; lot grading and drainage; salt management, sidewalks and widenings of Regional roads have been satisfied.

### **ON SITE SERVICING APPROVALS**

- (15) to obtain approval from the Waterloo Regional Health Unit for all private water systems and the *(City's Chief Building Official or Ministry of the Environment)* for all private sewage systems and to provide written copies of such approvals to the City's Chief Building Official.

### **MINISTRY OF TRANSPORTATION PERMIT**

- (16) to obtain a Building/Land Use Permit from the Ministry of Transportation and to provide the City's Chief Building Official with copies thereof.

### **CASH-IN-LIEU OF PARK**

- (17) to pay to the City of Kitchener Park Trust Fund a cash-in-lieu contribution for park dedication equal to 5% of the value of the lands. Said 5% value shall be determined as of the day prior to the day of the issuance of the building permit.

### **CASH-IN-LIEU OF PARKING**

- (18) to pay to the City a Cash-in-Lieu of Parking payment in the amount of \$ pursuant to the Cash-In-Lieu of Parking Policy in effect on the date that the Owner has completed all other requirements for issuance of the first building permit for development of the lands in accordance with this Agreement, in order to satisfy the deficiency of parking spaces required by the City's zoning by-law. This clause shall remain on title, not to be released, in order to give notice to subsequent purchasers that that portion of the City's parking requirement not actually provided on or off site has been satisfied.

### **FIRE FLOW DEMAND ANALYSIS**

- (19) to submit a fire flow demand analysis conducted by a Professional Engineer, to the satisfaction of the City's Chief Building Official in consultation with the City's Engineering Services and Chief Fire Prevention Officer, to determine if the proposed development exceeds the capabilities of the water distribution system for fire fighting purposes, or to receive an exemption from this requirement from the City's Chief Building Official.

### **STORM WATER MANAGEMENT CONTRIBUTION**

- (20) to address Storm Water Quality concerns, the owner is required to contribute payment in accordance with the City's Master Stormwater Management Policy. For this development, the owner is to pay the City the current rate per hectare in accordance of the aforementioned policy based on \_\_\_\_\_ hectare(s).

### **BUILDING ELEVATIONS**

- (21) to submit Building Elevation drawings to the satisfaction of the City's Supervisor of Site Plan Development, which demonstrate how the proposed elevations will meet the intent of section 5.1 of the City of Kitchener Urban Design Manual

### **SITE SERVICING PLAN**

- (22) to submit a detailed site servicing plan, showing all outlets to the existing municipal infrastructure systems and any proposed removal of redundant service connections; all to the satisfaction of the City's Engineering Services.

## **EMERGENCY FIRE ROUTE PLAN**

- (23) to prepare a detailed emergency fire route plan showing any required emergency fire routes and associated signage to the satisfaction of the City's Chief Fire Official.

## **CRIME PREVENTION THROUGH ENVIRONMENTAL DESIGN (CPTED)**

- (24) to submit a CPTED report, including a detailed maintenance schedule, to the satisfaction of the City's Supervisor of Site Plan Development. The CPTED report is to demonstrate what measures will be incorporated into the development to address access control, surveillance, territorial reinforcement and target hardening.

## **RETENTION OF CONSULTANTS**

- (25) The Owner agrees to retain a Professional Engineer (hereinafter the "Owner's Engineer") to prepare the design of grading and drainage control plan, site and external servicing plans, fire flow demand analysis, municipal service connection designs, and storm water management reports that are to be submitted pursuant to Sections B (2), (3), (19), & (22) of this Site Plan Approval in Principle to the City's Director of Engineering Services for approval.

The Owner further agrees to retain a qualified Landscape Architect (hereinafter the "Owner's Landscape Architect") to prepare the landscape plan that is to be submitted pursuant to Sections B (5), (6), (7), (8) & (9) of this Site Plan Approval in Principle to the City's Supervisor of Site Plan Development for approval.