



**Minutes of Guelph City Council
Held in the Council Chambers, Guelph City Hall on
Monday, March 25, 2013 at 6:30 p.m.**

Attendance

Members: Mayor Farbridge, Councillors Bell (arrived at 7:00pm), Burcher, Dennis, Findlay, Furfaro, Guthrie, Hofland, Laidlaw, Piper, Van Hellemond and Wettstein

Absent: Councillor Kovach

Staff: Ms. A. Pappert, Chief Administrative Officer; Mr. M. Amorosi, Executive Director, Corporate & Human Resources; Ms. C. Bell, Executive Director, Community & Social Services; Mr. A. Horsman, Executive Director, Finance & Enterprise/Treasurer; Dr. J. Laid, Executive Director, Planning & Building, Engineering and Environment; Mr. D. McCaughan, Executive Director, Operations, Transit & Emergency Services; Ms. T. Agnello, Deputy Clerk; Ms. J. Sweeney, Council Committee Coordinator

Call to Order (6:30 p.m.)

Mayor Farbridge called the meeting to order.

Authority to Resolve into a Closed Meeting of Council

1. Moved by Councillor Dennis
Seconded by Councillor Findlay

That the Council of the City of Guelph now hold a meeting that is closed to the public, pursuant to Section 239 (2) (b) of the *Municipal Act* with respect to personal matters about identifiable individuals.

CARRIED

Closed Meeting (6:31 p.m.)

Disclosure of Pecuniary Interest and General Nature Thereof

There were no disclosures.

Report from Community & Social Services Committee – Citizen Appointments to Accessibility Advisory Committee, Cultural Advisory Committee, Guelph Museums Advisory Committee & Guelph Sports Hall of Fame Board of Directors

That staff be given direction with respect to citizen appointments to the Accessibility Advisory Committee, Cultural Advisory Committee, Guelph Museums Advisory Committee and Guelph Sports Hall of Fame Board of Directors.

CARRIED

Report from Operations, Transit & Emergency Services Committee – Citizen Appointments to the Transit Advisory Committee

That staff be given direction with respect to citizen appointments to the Transit Advisory Committee.

CARRIED

Report from the Planning & Building, Engineering and Environment Committee – Citizen Appointments to Property Standards/Fence Viewers Committee and Solid Waste Management Master Plan Review Public Steering Committee

That staff be given direction with respect to citizen appointments to the Property Standards/Fence Viewers Committee and Solid Waste Management Master Plan Review Public Steering Committee.

CARRIED

Rise from Closed Meeting (6:42 p.m.)

That Council rise from its Closed Meeting.

CARRIED

Council recessed.

Open Meeting (7:00 p.m.)

Mayor Farbridge called the meeting to order.

There was a moment of silence in memory of Constable Jennifer Kovach.

Disclosure of Pecuniary Interest and General Nature Thereof

There were no disclosures.

Presentation: CAO 2013 Performance Goals and Objectives

Ms. Ann Pappert, Chief Administrative Officer, outlined her 2013 performance goals and objectives.

1. Moved by Councillor Hofland
Seconded by Councillor Burcher

That the report of the Chief Administrative Officer dated March 25, 2013 entitled "2013 CAO Performance Objectives", be received.

VOTING IN FAVOUR: Mayor Farbridge, Councillors Bell, Burcher, Dennis, Findlay, Furfaro, Guthrie, Hofland, Laidlaw, Piper, Van Hellemond and Wettstein (12)

VOTING AGAINST: (0)

CARRIED

Confirmation of Minutes

2. Moved by Councillor Guthrie
Seconded by Councillor Furfaro

That the minutes of the Council Meetings held on February 12 and 25 as amended, 2013 and the minutes of the Closed Meetings of Council held February 25, March 4, as amended and 5 as amended, 2013 be confirmed.

VOTING IN FAVOUR: Mayor Farbridge, Councillors Bell, Burcher, Dennis, Findlay, Furfaro, Guthrie, Hofland, Laidlaw, Piper, Van Hellemond and Wettstein (12)

VOTING AGAINST: (0)

CARRIED

Consent Reports

Closed Meeting of Council First Consent Report

3. Moved by Councillor Findlay
Seconded by Councillor Hofland

That the March 25, 2013 Closed Meeting of Council First Consent Report as identified below, be adopted:

CMC-2013.1 Citizen Appointment to the Guelph Public Library Board

That Justine Richardson be appointed to the Guelph Public Library Board for a term expiring November 30, 2014.

VOTING IN FAVOUR: Mayor Farbridge, Councillors Bell, Burcher, Dennis, Findlay, Furfaro, Guthrie, Hofland, Laidlaw, Piper, Van Hellemond and Wettstein (12)

VOTING AGAINST: (0)

CARRIED

Community & Social Services Committee Second Consent Report

Councillor Dennis presented the Community & Social Services Committee Second Consent Report.

4. Moved by Councillor Dennis
Seconded by Councillor Van Hellemond

That the March 25, 2013 Community & Social Services Committee Second Consent Report as identified below, be adopted:

CSS-2013.5 2013-2018 Guelph Youth Strategy

1. That Council endorse the Vision, Mission and Values of the 2013 – 2018 Guelph Youth Strategy.

2. That Council receive the 10 Foundational and 30 Youth Driven Goals of the 2013 – 2018 Guelph Youth Strategy.
3. That staff be directed to report back with an implementation plan that identifies corporate initiatives, community collaborations, key performance indicators, budget and alignment with the Community Investment Strategy and Community Wellbeing Initiative.

CSS-2013.7 Community Investment Strategy Implementation – Community Wellbeing Grant Program

1. That Council approve the establishment of the Wellbeing Grant Allocation Panel.
2. That the proposed Terms of Reference for the Wellbeing Grant Allocation Panel as presented in report CSS-CESS-1311 be approved in principle and that a more robust Terms of Reference be brought back to the Community & Social Services Committee for consideration.
3. That Council Repeal and replace Schedule “U” of the Delegation of Authority By-law with the updated version attached to report CSS-CESS-1311 as Attachment 1.
4. That staff be directed to begin the process of recruiting members to the Wellbeing Grant Allocation Panel.
5. That Council approve the Wellbeing Grant Program model outlined in Table 1 of the CSS-CESS-1311 report.

CSS-2013.8 County Proposed Infant Program at Willowdale Child Care and Learning Centre

1. That Council approve implementation of 10 infant child care spaces at Willowdale Child Care and Learning Centre with the following requirements:
 - a) Wellington County agrees to notify the City of any financial adjustments which differ from the County’s reported financial implications;
 - b) Wellington County enters into a service agreement with the City for the operation of Willowdale Child Care and Learning Centre.

VOTING IN FAVOUR: Mayor Farbridge, Councillors Bell, Burcher, Dennis, Findlay, Furfaro, Guthrie, Hofland, Laidlaw, Piper, Van Hellemond and Wettstein (12)

VOTING AGAINST: (0)

CARRIED

Corporate Administration, Finance and Enterprise Committee Second Consent Report

Councillor Hofland presented the Corporate Administration, Finance and Enterprise Committee Second Consent Report.

5. Moved by Councillor Hofland
Seconded by Councillor Wettstein

That the March 25, 2013 Corporate Administration, Finance and Enterprise Committee Second Consent Report as identified below, be adopted:

CAFE-2013.3 Development Charge Exemption Policy

1. That the Development Charge Exemption Policy report FIN-13-10 dated March 11, 2013, be received.
2. That the Development Charge Exemption Policy, attached as Appendix 1 to report FIN-13-10, be approved and adopted by by-law.

CAFE-2013.4 Capital Renewal Reserve Fund

1. That the Capital Renewal Reserve Fund report FIN-13-09 dated March 11, 2013, be received.
2. That the Capital Renewal Reserve Fund Policy, attached as Appendix 1 to report FIN-13-09, be approved and adopted by by-law.

CAFE-2013.6 Renegotiation of The Elliott Promissory Note Agreement

1. That Report FIN-13-07 "Renegotiation of The Elliott Promissory Note Agreement" be approved.
2. That Council authorizes the Treasurer to renegotiate the Promissory Note Agreement in accordance with the terms as outlined in the staff recommended option and with the direction that all reissuance costs incurred in 2011 be recovered.

VOTING IN FAVOUR: Mayor Farbridge, Councillors Bell, Burcher, Dennis, Findlay, Furfaro, Guthrie, Hofland, Laidlaw, Piper, Van Hellemond and Wettstein (12)

VOTING AGAINST: (0)

CARRIED

Operations, Transit & Emergency Services Committee First Consent Report

The following item was extracted:

OTES-2013.1 Public Nuisance By-law

Balance of Operations, Transit and Emergency Services Committee Consent Items

Councillor Findlay presented the balance of the Operations, Transit and Emergency Services Committee First Consent Report.

6. Moved by Councillor Findlay
Seconded by Councillor Van Hellemond

That the balance of the March 25, 2013 Operations, Transit and Emergency Services Committee First Consent Report as identified below, be adopted:

OTES-2013.2 Revised U-Pass Agreement

1. That the Operations, Transit and Emergency Services Committee Report #OT031302 Revised U-Pass Agreement dated March 18, 2013 be received.
2. That the Mayor and City Clerk be authorized to sign U-Pass Agreements with the CSA and GSA at the University of Guelph.

VOTING IN FAVOUR: Mayor Farbridge, Councillors Bell, Burcher, Dennis, Findlay, Furfaro, Guthrie, Hofland, Laidlaw, Piper, Van Hellemond and Wettstein (12)

VOTING AGAINST: (0)

CARRIED

Planning and Building, Engineering and Environment Committee Second Consent Report

The following item was extracted:

PBEE-2013.9 Sign By-law Variances for 40 Wellington Street West (Belmont Equity Partners Inc.)

Balance of Planning & Building, Engineering and Environment Committee Consent Items

Councillor Piper presented the balance of the Planning & Building, Engineering and Environment Committee Second Consent Report.

7. Moved by Councillor Piper
Seconded by Councillor Guthrie

That the balance of the March 25, 2013 Planning and Building, Engineering and Environment Committee Second Consent Report as identified below, be adopted:

PBEE-2013.8 Stormwater Funding Study – Terms of Reference

That staff be directed to proceed with the Stormwater Funding Study by issuing the terms of reference for the consultant engineering assignment.

VOTING IN FAVOUR: Mayor Farbridge, Councillors Bell, Burcher, Dennis, Findlay, Furfaro, Guthrie, Hofland, Laidlaw, Piper, Van Hellemond and Wettstein (12)

VOTING AGAINST: (0)

CARRIED

Council Consent Agenda

The following item was extracted:

CON-2013.3 City of Guelph Response to Proposed Amendment 2 to the Growth Plan for the Greater Golden Horseshoe

Balance of Council Consent Items

8. Moved by Councillor Guthrie
Seconded by Councillor Hofland

That balance of the March 25, 2013 Consent Agenda as identified below, be adopted:

CON-2013.4 86 Lane Street – Proposed Zoning By-law Amendment (File: ZC1209) – Ward 1

1. That Report 1308 regarding a Zoning By-law Amendment application to permit a semi-detached dwelling at 86 Lane Street, legally described as Part of Lot 8, Range 2, Division 'F', City of Guelph, from Planning, Building, Engineering and Environment, dated March 25, 2013, be received.
2. That the application by Van Harten Surveying Inc., on behalf of KJM Quality Construction Ltd., for a Zoning By-law Amendment from the R.1B (Single Detached Residential) Zone to the R.2 (Semi-detached Residential) Zone affecting the property municipally known as 86 Lane Street, and legally described as Part of Lot 8, Range 2, Division 'F', City of Guelph, be approved in accordance with the zoning regulations and conditions outlined in Schedule 1, attached.
3. That the request to demolish the detached dwelling at 86 Lane Street be approved.
4. That the applicant be requested to contact the General Manager of Solid Waste Resources, Planning, Building, Engineering and Environment, regarding options for the salvage or recycling of all demolition materials.

CON-2013.5 Annual Asphalt, Contract 2-1301

1. That the tender of Coco Paving be accepted and that the Mayor and Clerk be authorized to sign the agreement for Contract 2-1301 for the Annual Asphalt Contract for a total tendered price of \$ 3,827,310.00 with actual payment to be made in accordance with the terms of the contract.

CON-2013.6 Easement Agreement – 40 Wellington Street West

1. That the City Solicitor be authorized to execute an agreement for the sale of easements to 2065404 Ontario Inc., and all related documents required for the transfer and registration thereof, in relation to the proposed development located at 40 Wellington Street West, Guelph, on the terms included in the report dated March 25, 2013, in a form satisfactory to the City Solicitor.

CON-2013.7 Litigation Status Report

1. That the report of Legal and Realty Services regarding the status of City litigation be received.

VOTING IN FAVOUR: Mayor Farbridge, Councillors Bell, Burcher, Dennis, Findlay, Furfaro, Guthrie, Hofland, Laidlaw, Piper, Van Hellemond and Wettstein (12)
VOTING AGAINST: (0)

CARRIED

Extracted Council Consent Items

OTES-2013.1 Public Nuisance By-law

Delegations

Mr. James Gordon suggested that the proposed nuisance by-law goes against the values and aspirations of the City and that there are laws in place to address nuisances. He expressed concern that if passed it would discourage peaceful protests/demonstrations and puts at risk the constitutional democratic rights of the citizens. He further expressed concern that the discretionary aspects of the by-law puts the city at risk. He urged Council to not pass the by-law.

Mr. Tom Higson expressed concern with the level of discretionary control given to the Executive Director. He questioned who the proposed by-law is targeting.

Mr. Ron Foley requested that the by-law be sent back to staff for a complete overhaul. He suggested that it is convoluted and too vague. He further suggested that everything the by-law is attempting to regulate is covered by other laws and that if the concern is nuisance parties, then it should be addressed separately. He expressed concern with respect to the related fines, administration and enforcement.

Mr. Barry Milner spoke in favour of the proposed by-law. He suggested that the by-law would provide background information for enforcement staff to make informed decisions.

Dr. Hugh Whiteley advised that the only part of the by-law that should be adopted is the nuisance parties section and suggested there is no justification for the rest of the by-law. He suggested that the definition for nuisance parties include buildings and dwellings. He expressed concern with the exemption section and the control given to the Executive Director.

Ms. Norah Chaloner suggested that rallies and public gatherings are an important part of democracy. She expressed concern with the open ended wording of the by-law. She asked that the various interpretations be rejected to avoid overreach and intimidation.

Ms. Evelynne Sundholm expressed her concern with the Executive Director having discretionary powers. She requested that the phrase "in his or her sole discretion" be removed from the by-law.

Mr. Dave Sills, President, Guelph Civic League, advised they support the nuisance party provisions. He expressed concern with the community involvement, Executive Director discretion, vague language and enforcement. He urged that the by-law be referred back to staff for additional community consultation.

Andrew Eisen expressed concern with various definitions of weapons and the Criminal Code of Canada regulations. He also expressed concern with the definition for fight. He suggested that the proposed by-law undermines democracy.

Mr. Richard Chaloner suggested that the City needs something to control wild parties but not peaceful demonstrations. He expressed concern with the discretion given to staff and the power to levy fines without opportunity for appeal. He further suggested that by-laws be enacted for each behaviour the City wants to control.

Mr. Keith Bellairs on behalf of the Council for Canadians, Guelph Chapter, expressed concern with the number fines. He expressed concern with the by-law's definitions and vagueness. He suggested that the civil rights of Canadians should not be at the discretion of an officer.

Ms. Devin Foley expressed concern with the public consultation process. She suggested that enforcement officers already have rules to deal with specific complaints. She urged Council to send the by-law back to staff for further public input.

Mr. James Reinhart read the statement of Mr. Mike Schreiner who suggested that people have the democratic right to speak out on issues.

Mr. James Reinhart suggested that the by-law is too vague and has unclear guidelines which are subject to wide interpretation. He expressed concern that the by-law encroaches on civil liberties and is undemocratic.

Mr. Eric Brown spoke on behalf of Brian Skerrett who requested that the by-law be reconsidered, especially the right to protest section. He expressed concern with the ambiguity and subjectivity of the by-law.

Council posed various questions for follow up and clarification purposes. There was significant debate with respect to the proposed by-law.

Main Motion

Councillor Findlay presented OTES-2013.1 Public Nuisance By-law.

9. Moved by Councillor Findlay
Seconded by Councillor Van Hellemond
 1. That the Operations, Transit & Emergency Services Committee Report # OT031303 dated March 18, 2013, regarding the establishment of a Public Nuisance By-law be received.
 2. That the proposed Public Nuisance By-law be presented to Council for approval.
 3. That the Public Nuisance By-law be referred back to the Operations, Transit and Emergency Services Committee in April, 2014 to review the effectiveness of the by-law to date.

Referral

10. Moved by Councillor Laidlaw

Seconded by Councillor Hofland

That all aspects of the Public Nuisance By-law be referred back to staff, while retaining the aspects of the Public Nuisance By-law relating specifically to nuisance party problems and solutions.

VOTING IN FAVOUR: Mayor Farbridge, Councillors Bell, Burcher, Dennis, Findlay, Furfaro, Guthrie, Hofland, Laidlaw, Piper, Van Hellemond and Wettstein (12)

VOTING AGAINST: (0)

CARRIED

Main Motion as Amended

A separated vote was requested.

11. Moved by Councillor Findlay
Seconded by Councillor Van Hellemond

That the Operations, Transit & Emergency Services Committee Report #OT031303 dated March 18, 2013, regarding the establishment of a Public Nuisance By-law be received.

VOTING IN FAVOUR: Mayor Farbridge, Councillors Bell, Burcher, Dennis, Findlay, Furfaro, Guthrie, Hofland, Laidlaw, Piper, Van Hellemond and Wettstein (12)

VOTING AGAINST: (0)

CARRIED

12. Moved by Councillor Findlay
Seconded by Councillor Van Hellemond

That the proposed Public Nuisance By-law, **as amended**, be presented to Council for approval.

VOTING IN FAVOUR: Mayor Farbridge, Councillors Bell, Burcher, Dennis, Findlay, Furfaro, Guthrie, Hofland, Laidlaw, Piper, Van Hellemond and Wettstein (12)

VOTING AGAINST: (0)

CARRIED

13. Moved by Councillor Findlay
Seconded by Councillor Van Hellemond

That the **amended** Public Nuisance By-law be referred back to the Operations, Transit and Emergency Services Committee in April, 2014 to review the effectiveness of the by-law to date.

VOTING IN FAVOUR: Mayor Farbridge, Councillors Bell, Burcher, Dennis, Findlay, Furfaro, Guthrie, Hofland, Laidlaw, Piper, Van Hellemond and Wettstein (12)

VOTING AGAINST: (0)

CARRIED

**CON-2013.3 City of Guelph Response to Proposed Amendment 2 to the
Growth Plan for the Greater Golden Horseshoe**

Delegation

Dr. Hugh Whiteley advised he was pleased staff included comments relating to the city's growth rate shortfall. He expressed concern with the justification used for the slow growth rate.

Council discussed the matter.

14. Moved by Councillor Piper
Seconded by Councillor Dennis

1. That the staff comments provided to the Ministry of Infrastructure, dated February 8, 2013, and included as Attachment 1 be endorsed.
2. That the City Clerk be directed to inform the Ministry of Infrastructure that the staff comments have been endorsed by Council.

VOTING IN FAVOUR: Mayor Farbridge, Councillors Bell, Burcher, Dennis, Findlay, Furfaro, Guthrie, Hofland, Laidlaw, Piper, Van Hellemond and Wettstein (12)

VOTING AGAINST: (0)

CARRIED

**PBEE-2013.9 Sign By-law Variances for 40 Wellington Street West (Belmont
Equity Partners Inc.)**

Councillor Piper presented PBEE-2013.9, Sign By-law Variances for 40 Wellington Street West (Belmont Equity Partners Inc.)

Main Motion

15. Moved by Councillor Piper
Seconded by Councillor Guthrie

1. That the Planning, Building, Engineering and Environment report dated March 18, 2013, regarding Sign by-law variances for 40 Wellington Street West, be received.
2. That the request for variances from the Sign By-law for 40 Wellington Street West to permit freestanding signage with a setback of 1 to 6 metres, a maximum size of 10 square metres and a maximum height of 4.5 metres, be approved.

Amendment

16. Moved by Councillor Piper
Seconded by Councillor Dennis

That mobile signs not be permitted on the subject site.

VOTING IN FAVOUR: Mayor Farbridge, Councillors Bell, Burcher, Findlay, Furfaro, Hofland, Laidlaw, Piper and Van Hellemond (9)

VOTING AGAINST: Councillors Dennis, Guthrie and Wettstein (3)

CARRIED

Main Motion as Amended

17. Moved by Councillor Piper
Seconded by Councillor Guthrie

1. That the Planning, Building, Engineering and Environment report dated March 18, 2013, regarding Sign by-law variances for 40 Wellington Street West, be received.
2. That the request for variances from the Sign By-law for 40 Wellington Street West to permit freestanding signage with a setback of 1 to 6 metres, a maximum size of 10 square metres and a maximum height of 4.5 metres, be approved.
- 3. That mobile signs not be permitted on the subject site.**

VOTING IN FAVOUR: Mayor Farbridge, Councillors Bell, Burcher, Dennis, Findlay, Furfaro, Guthrie, Hofland, Laidlaw, Piper, Van Hellemond and Wettstein (12)

VOTING AGAINST: (0)

CARRIED

By-laws

18. Moved by Councillor Hofland
Seconded by Councillor Burcher

1. That By-law Number (2013)-19548 be renumbered as By-law Number (2013)-19547.
2. That By-laws Numbered (2013)-19533 to (2013)-19547, inclusive, are hereby passed.

VOTING IN FAVOUR: Mayor Farbridge, Councillors Bell, Burcher, Dennis, Findlay, Furfaro, Guthrie, Hofland, Laidlaw, Piper, Van Hellemond and Wettstein (12)

VOTING AGAINST: (0)

CARRIED

Mayor's Announcements

The Mayor presented Councillor Ian Findlay with a certificate in recognition of the 30th Anniversary of his business "Thomas Video".

Adjournment (9:50 p.m.)

14. Moved by Councillor Dennis

Seconded by Councillor Van Hellemond

That the March 25, 2013 meeting of Guelph City Council be adjourned.

CARRIED

Minutes to be confirmed on April 29, 2013.

Mayor Farbridge

Deputy Clerk

Schedule 1

The property affected by the Zoning By-law Amendment application is municipally known as 86 Lane Street and legally described as Part of Lot 8, Range 2, Division 'F', City of Guelph.

PROPOSED ZONING

The following zoning is proposed for the subject site:

R.2 (Semi-detached Residential) Zone

In accordance with Section 4.2 of Zoning By-law (1995)-14864, as amended.

PROPOSED CONDITIONS

The following conditions are provided as information to Council and will be imposed as conditions of consent:

1. Prior to any severance of the lands and prior to any construction or grading on the lands, the Developer shall have a Professional Engineer design a grading and drainage plan for the site, satisfactory to the General Manager/City Engineer.
2. Prior to any severance and prior to any construction and grading of the lands, the Developer shall be responsible for all of the costs associated with the demolition and removal of the existing dwelling from the property.
3. That the developer/owner shall pay development charges to the City in accordance with By-law Number (2009)-18729, as amended from time to time, or any successor thereof, and in accordance with the Education Development Charges By-laws of the Upper Grand District School Board (Wellington County) and the Wellington Catholic District School Board, as amended from time to time, or any successor by-laws thereto.
4. Prior to building permit, the owner shall pay to the City cash-in-lieu of park land dedication in accordance with By-law (1989)-13410, By-law (1990)-13545 and By-law (2007)-18225, as amended from time to time, or any successor thereof.
5. That the Developer enters into a Storm Sewer Agreement, as established by the City, providing a grading and drainage plan, registered on title, prior to any severance of the lands and prior to any construction and grading of the lands.
6. The Developer shall pay to the City the actual cost of the construction of the new driveways including the required curb cut and/ or fill and furthermore, prior to any severance of the lands and prior to any construction or grading on the lands, the Developer shall pay to the City the estimated cost for constructing the the new driveways including the required curb cut and/or fill, as determined by the General Manager/City Engineer.
7. The Developer shall pay to the City the actual cost of constructing, installing or removal of any service laterals required and furthermore, prior to any severance of the lands and prior to any construction or grading on the lands, the Developer shall pay to the City the estimated cost of constructing, installing or removal of any service laterals, as determined by the General Manager/City Engineer.
8. Prior to any severance of the lands and prior to any construction or grading on the lands, the Developer shall pay the flat rate charge established by the City per metre for water frontage charges to be applied for the said lands.

9. That the Developer constructs the new buildings at such an elevation that the lowest level of the new buildings can be serviced with a gravity connection to the sanitary.
10. That prior to building permit, the Developer complete a Tree Inventory & Protection Plan illustrating all existing trees (species, size, dbh, and condition) as well as protection during construction for trees that will remain, to the satisfaction of the General Manager of Planning Services.
11. That prior to building permit, the Developer complete a Landscaping, Replanting and Replacement Plan illustrating compensation trees, provided at a 3:1 ratio, to the satisfaction of the General Manager of Planning Services. '
12. The Developer shall pay to the City, the total cost of reproduction and distribution of the Guelph Residents Environmental Handbook, with such payment based on a cost of one handbook for each of the new dwelling units as determined by the City, prior to the issuance of any building permits.
13. That prior to building permit, the Developer agree to frost the centre window on the second storey facing north in the northerly semi-detached unit to improve privacy for the adjacent neighbours.
14. Prior to any severance and prior to any construction and grading of the lands, the Developer shall enter into an agreement with the City, registered on title, satisfactory to the General Manager/City Engineer, covering the conditions noted above and to develop the site in accordance with the approved plans.