



**Minutes of Guelph City Council
Held in the Council Chambers, Guelph City Hall on
Monday, October 7, 2013 at 6:00 p.m.**

Attendance

Council: Mayor Farbridge
Councillor B. Bell
Councillor L. Burcher
Councillor T. Dennis
Councillor I. Findlay
Councillor J. Furfaro
Councillor C. Guthrie

Councillor J. Hofland
Councillor G. Kovach
Councillor L. Piper
Councillor M. Laidlaw
Councillor A. Van Hellemond
Councillor K. Wettstein

Staff: Ms. A. Pappert, Chief Administrative Officer
Mr. M. Amorosi, Executive Director, Corporate & Human Resources
Dr. J. Laird, Executive Director, Planning, Building, Engineering and Environment
Mr. A. Horsman, Executive Director of Finance & Enterprise/City Treasurer
Mr. D. Thomson, Executive Director of Community & Social Services
Mr. S. Worsfold, Deputy City Solicitor
Ms. S. Kirkwood, Manager Development Planning
Mr. T. Salter, General Manager, Planning Services
Ms. S. Purton, Manager of Financial Planning & Budgeting
Ms. T. Agnello, Deputy Clerk
Ms. D. Black, Council Committee Coordinator

Call to Order (6:00 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 Hofland

That the Council of the City of Guelph now hold a meeting that is closed to the public, pursuant to Section 239 (2) (b) and (e) and (f) of the *Municipal Act* with respect to personal matters about an identifiable individual; litigation or potential litigation and advice that is subject to solicitor-client privilege.

CARRIED

Closed Meeting (6:01 p.m.)

Disclosure of Pecuniary Interest and General Nature Thereof

There were no disclosures.

The following matters were considered:

C.2013.23 Litigation Update - Urbacon

C.2013.24 Personal Matters About an Identifiable Individual

Rise from Closed Meeting (6:30 p.m.)

Council recessed.

Open Meeting (7:00 p.m.)

Mayor Farbridge called the meeting to order.

Disclosure of Pecuniary Interest and General Nature Thereof

Councillor Kovach disclosed a pecuniary interest regarding 60 Woodlawn Road East Proposed Official Plan and Zoning By-law Amendments because she is employed by the Schlegel company, owners of the Homewood.

Consent Agenda

2. Moved by Councillor Kovach
Seconded by Councillor Laidlaw

That the balance of the October 7, 2013 Consent Agenda as identified below, be adopted:

**CON-2013.29 151 Cityview Drive North – Proposed Zoning By-law Amendment
(File: ZC1302) – Ward 1**

1. That the application by Bill and Franca DaMaren for approval of a Zoning By-law Amendment from the UR (Urban Reserve) Zone to the R.1C (Single Detached Residential) Zone to permit the development of a single detached dwelling at the property municipally known as 151 Cityview Drive North and legally described as Lot 19, Registered Plan 462, City of Guelph, be approved in accordance with the zoning regulations and conditions outlined in Schedule 1 attached hereto.

**CON-2013.30 541 Edinburgh Road South Demolition – Proposed Zoning By-law
– Ward 5**

1. That Report 13-61 regarding the proposed demolition of a detached dwelling at 541 Edinburgh Road South, legally described as Part of Lot 12, Plan 714, City of Guelph, from Planning, Building, Engineering and Environment dated October 7, 2013, be received.
2. That the proposed demolition of the detached dwelling at 541 Edinburgh Road South be approved.
3. That the applicant be requested to erect protective fencing at one (1) metre from the dripline of any existing trees on the property or on adjacent properties which can be preserved prior to commencement of demolition and maintain fencing during demolition and construction of the new dwelling.

4. That the applicant be requested to contact the General Manager of Solid Waste Resources, within Planning, Building, Engineering and Environment regarding options for the salvage or recycling of all demolition materials.

CON-2013.31 GMHI/GHI Shareholder Declaration

1. That Council approve the revisions to the reporting requirements of GHI and GMHI in the Shareholder Declaration as set out in the report of Legal and Realty Services dated October 7, 2013, and such other minor amendments as required by the City Solicitor, in a final form and content to the satisfaction of the City Solicitor.
2. That Council authorize the Mayor and Clerk to execute the revised GHI and GMHI Shareholder Declaration.

VOTING IN FAVOUR: Mayor Farbridge, Councillors Bell, Burcher, Dennis, Findlay, Furfaro, Guthrie, Hofland, Kovach, Laidlaw, Piper, Van Hellemond, and Wettstein (13)

VOTING AGAINST: (0)

CARRIED

Planning Public Meeting

Mayor Farbridge announced that in accordance with The Planning Act, Council is now in a public meeting for the purpose of informing the public of various planning matters.

60 Woodlawn Road East – Proposed Official Plan and Zoning By-law Amendments (Files OP1303/ZC1310) – Ward 2

Councillor Kovach vacated her chair and did not speak or vote on this matter. (7:06 p.m.)

Ms. Sylvia Kirkwood, Manager, Development Planning, provided an overview of the report. She advised that Zoning and the Official plan cannot regulate land use and not business practices. She explained that the clinic and classrooms do not meet the definition of an accessory use and therefore require zoning by-law amendments. She noted that added parking was not approved and a stormwater management review is required. The clinic and classroom uses were brought to staff's attention through complaints and the applicants have gone to Committee of Adjustment where it was determined Official Plan and Zoning by-law amendments are required.

Discussion ensued regarding the Provincial jurisdiction of the of the long-term care facility, the definition of accessory uses, and non-compliance of existing uses.

Mr. John Valeriote, representing the owners, provided information with respect to the Schlegel owned facilities in Ontario. With respect to the application for a clinic, the Ministry of Health has provided their approval subject to municipal approval and in order to address concerns a separate elevator, HVAC system and entrance are proposed. With respect to the classrooms Conestoga College is offering classes in the basement with a separate entrance for students. He said the traffic study indicates that the current format is adequate. He advised that the clinic doctor, has approximately 2000 patients and six are residents of Riverside Glen home and retirement community.

Ms. Susan Carey, President of the Residents Council, explained that residents were advised told they could not be patients of Dr. Spadafora and many of them already have their own physicians. She said as a result of the clinic there has been encroachment into the staff area,

and subsequently into the residents' recreational and common areas. She raised safety concerns with psychiatric and developmentally challenged residents having access to get out. She also said the mix of kitchen, laundry, and maintenance staff with students in the basement makes jeopardizes safety and hygiene. She advised that visitor parking is a challenge as the spots are frequently a long distance from the entrance because of clinic patients taking the spots close to the entrance. She believes the concept is good but the functionality is not. Due to the lack of discussion with the residents and the displacement encountered, they believe their rights are not being honoured.

Mr. Don Hansen, echoed various concerns raised by Ms. Carey and added that everyone uses the same elevator and residents have to pay the bill when the elevator breaks down. He also said that some clinic patients walk through common areas and use the long-term care washrooms.

Mr. Wayne Mathews, relative of a resident, said there is a higher risk and danger involved for the residents from infectious diseases due to the clinic traffic. He said when there is an outbreak, the units are closed to relatives but not clinic patients and he believes the clinic should close when outbreaks occur.

Dr. Nicola Mercer, Medical Officer of Health for Wellington County, stated that she does not oppose the vision of the clinic and the school and stated that the fact that the uses are not separate means that it is not in compliance with the Long Term Care Act. She urged consideration be given to providing a secondary exit and completely separating the long-term care facility and the clinic. She has monitored the home for compliance, and issued an order to close the windows from the clinic into the home, and sent her concerns and recommendations to the Ministry of Health as there are no clear regulations to address the issue of a general medical practice in the middle of a long-term care facility. She stated that there is no recourse to restrict the types of classes being taught and who accesses them. She does not believe the classrooms are compatible with staff uses of food preparation and laundry which places the residents at risk of illness. She also noted that residents cannot have visitors during an outbreak but sick patients for the clinic have access. She advised that public health was made aware of the clinic by residents and requests the application be denied or deferred until a review by the Provincial Infectious Disease Advisory Committee is conducted.

Dr. George Heckman was not present.

Ms. Josie d'Avernas, Vice President of the Research Institute of Aging (RIA), advised that the applicants are trying to create a community care hub, and classrooms and a health centre will assist in providing innovation, social engagement, and quality care. She provided data to show that infection levels at the home where the school & clinic are located are lower than the average for other similar homes in the LIHN. She said the common space allocated for the long-term care facility exceeds ministry requirements so there is room for community involvement which includes students. For five years the students have been involved with many community-oriented events held in the residents' public areas and the nursing program requires interaction and it is welcomed by residents. She said that when the renovations are completed the clinic and school will be separate from the long-term care facility.

Mr. Paul Brown, General Manager, Riverside Glen stated the changes for the school and clinic were announced in 2010 through brochures, newsletters, posted drawings and residents' council meetings. He advised they did not consult with Public Health, but consulted with nurses and staff that have experience with infectious diseases.

Ms. Marlene Raasok, Executive Director for programs at Riverside Glen believes that students pose less health risks than general visitors because of their disease management training which includes an outbreak protocol, and their required vaccines. The program provides value to the students and residents and offers local residents the opportunity to graduate from a program where they can stay and work in their community. She also said there have been meetings with management to discuss matters such as the lunchroom and address parking issues and will also be meeting with Dr. Mercer to discuss her concerns.

Ms. Josie Bertelink, representing residents of 70 and 72 Woodlawn, said the driveway can no longer accommodate the traffic from the clinic and classrooms and feels it may not be safe to evacuate everyone if the need arises. She said if a new driveway is not added then the existing driveway needs to be closed to all traffic except for emergency vehicles because of the risk of safety to residents using wheelchairs and walkers from increased traffic and truck deliveries. She stated concern over the traffic study not being conducted at hours of peak school attendance and does. She also noted that there was no communication to the residents before the addition of the classrooms or parking.

Ms. Karen McLarney, resident of Guelph and graduate of the program reiterated the infectious control requirements, and measures practiced by students. She said that the nursing students are adequately trained regarding safe health practices such as hand sanitization, how to put on and take off protective wear and tested on infection control practices. She said if the program is disallowed, a number of people could not access the program and there will be a future shortage of health care personnel in Guelph.

Dr. Veronique Boscart, CIHR/Schlegel Industrial Research Chair for Colleges in Seniors Care provided statistics regarding the increase of senior citizens in the coming years and said that over half will need long-term care. She said the program is working for residents, staff and students and provides community interaction which is consented to by residents. They will share the results of an independent and external review of their practices. She noted that the infection disease rate for Riverside Glen is lower than the average and everyone is committed to putting the needs of the residents first.

Ms. Siobhan Bulmer, family member of a resident, said that a great deal of space is being used for classrooms and the site plans do indicate the gravel lot and there are between 135 to 167 vehicles in the lot on any given weekday. She said parking spots and the elevator being used by the clinic conflict with residents and staff and add risk of illness as a result. She noted there are also between 18-20 patients per hour visiting the clinic and only 6-8 parking spots allocated was concerned about the non compliance without permission and the negative affect it has had on the residents.

Mr. Mathew Bulmer, family member of a resident, said proper process was not followed and an order has been issued to address infectious disease deficiencies which took five months to address. As a result, the increase of exposure to infectious disease was increased. He is opposed to the office and campus being within the same building as the long-term care residents.

Mr. Reilly O'Dwyer, family member of a resident, opposes the application. He said all the construction will inconvenience and disrupt residents. He was concerned that the residents will not have access to the clinic doctor and 7700 square feet has already been removed from potential rooms for long-term care which will be needed in the future. He said they were never

advised that the clinic would public or that the campus would be located there and stressed the conflict between the clinic and the Alzheimer patients.

Ms. Jennifer Hall, spouse of a resident, echoed concerns regarding the roadway parking and loss of outdoor and indoor amenity space for residents. She said a number of residents do not feel comfortable socializing in the common area that is clearly visible to the clinic entrance. She said the clinic should not be located at the long-term care facility because of conflicts with the residents and increased risk of illness.

Ms. Catherine Nelson, relative of residents, concurred with comments of past speakers opposed to the clinic and school regarding loss of space, parking, traffic and increased risk of illness. She noted that the residents do not have locks on their doors so are vulnerable. She does not understand why the clinic is permitted to operate when the appropriate permissions have not been granted.

Dr. Spadafora, clinic physician, advised the intention is to provide care to additional residents and surrounding neighbourhood senior residents and plans to assume more responsibility for the long-term care patients in the future. The health centre can provide education in palliative care, pain management and benefit residents and the community at large. In order to minimize contact with residents they have hired two greeters to escort their patients to and from the clinic area to ensure they do not wander the premises, and another staff member to make sure no one else uses the door and they use a separate elevator. He also advised that in August of this year, they agreed to proactively close their clinic in the case of an outbreak, or when the elevator breaks down.

Procedural Motion to Extend Beyond 11:00 p.m.

3. Moved by Councillor Findlay
Seconded by Councillor Piper

That the Procedural By-law be suspended to allow Council to continue beyond 11:00 p.m.

CARRIED

Mr. John Wilkie, Guelph & District Christian Homes and Parkside Christian Village said their residents have been disturbed by the traffic volume on the property. He said the road was originally built for the sole use of Parkside and the Guelph & District Christian Homes and was not designed for the high volume created by the clinic and classrooms and poses safety risks due to people, not adhering to the speed regulations and many visitors do, which will cause safety issues. He noted there is an easement on the west side of the development and development should cease until adequate access for deliveries, students, patients and visitors can be provided. He suggested another access point be provided.

4. Moved by Councillor Piper
Seconded by Councillor Findlay

That Report 13-58 regarding Official Plan and Zoning By-law Amendment applications by Wellings Planning Consultants Inc. to permit medical clinic and post secondary school uses in addition to the uses currently permitted for the property municipally known as 60 Woodlawn Road East, and legally described as Part of Lots 1 and 2, Concession 2,

Division D, City of Guelph, from Planning, Building, Engineering and Environment dated October 7, 2013, 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

Discussion ensued regarding how to address parking issues, a possible second entrance or emergency exit, the cross jurisdictional issues of the long-term care facility and non-compliance uses as they currently exist. Clarification regarding "accessory use" was requested. Examples of this type of arrangement within the region, if any, were also requested.

Councillor Kovach resumed her chair. (11:17 p.m.)

55 Delhi Street – Proposed Zoning By-law Amendment (File ZC1309) – Ward 2

Mr. Michael Witmer, Development & Urban Design Planner, advised that the purpose of the application is to rezone to permit 12 apartment dwelling units and highlighted the Zoning By-law exemptions requested.

Mr. Mike Kershaw, Associate Solicitor, stated there is potential to obtain some parking spaces from 65 Delhi Street, but staff will need direction from Council to evaluate the effects that selling of spaces may have on expressions of interest for 65 Delhi Street.

Mr. Scott Patterson, Vesterra Property Management, described the site layout and advised that there has an agreeable resolution for all parties to the parking issues if parking spaces are able to be used from 65 Delhi Street. He said examination of the proposed tree removals will occur.

Mr. Robert Eilers, applicant, said that the purchase of 18 parking spots at 65 Delhi Street would resolve issues. If they are able to do so, the request for parking in the front of the building will no longer be necessary.

Procedural Motion to Extend Beyond 12:00 a.m.

5. Moved by Councillor Guthrie
Seconded by Councillor Hofland

That the Procedural By-law be suspended to allow Council to continue beyond 12:00 a.m.

CARRIED

Mr. James Fryett, Architect, representing the applicant, concurred with the proposed resolution.

Mr. Jason Blokhuis, representing the neighbours, advised that the neighbours have no objections if parking is located at the rear of the property and if the parking is located in the current spaces for 65 Delhi Street, the neighbours would have no objections to the proposal.

Mr. Edward Grieg, and Mr. Steven Kilburn neighbours, concurred with Mr. Blokhuis.

Main Motion

6. Moved by Councillor Burcher
Seconded by Councillor Dennis

That Report 13-59 regarding a Zoning By-law Amendment application by Labreche Patterson & Associates Inc. to permit the redevelopment of 55 Delhi Street into 12 infill apartment dwelling units, and legally described as Lot 34 and Part of Lot 35, Registered Plan 133, City of Guelph, County of Wellington from Planning, Building, Engineering and Environment dated October 7, 2013, be received.

First Amendment

7. Moved by Councillor Findlay
Seconded by Councillor Hofland

That staff be directed to work with the developer to explore options to acquire parking spaces from the 65 Delhi Street property.

VOTING IN FAVOUR: Mayor Farbridge, Councillors Bell, Burcher, Dennis, Findlay, Furfaro, Guthrie, Hofland, Kovach, Laidlaw, Piper, Van Hellemond, and Wettstein (13)

VOTING AGAINST: (0)

CARRIED

Main Motion as Amended

8. Moved by Councillor Burcher
Seconded by Councillor Dennis

1. That Report 13-59 regarding a Zoning By-law Amendment application by Labreche Patterson & Associates Inc. to permit the redevelopment of 55 Delhi Street into 12 infill apartment dwelling units, and legally described as Lot 34 and Part of Lot 35, Registered Plan 133, City of Guelph, County of Wellington from Planning, Building, Engineering and Environment dated October 7, 2013, be received.

2. That staff be directed to work with the developer to explore options to acquire parking spaces from the 65 Delhi Street property.

VOTING IN FAVOUR: Mayor Farbridge, Councillors Bell, Burcher, Dennis, Findlay, Furfaro, Guthrie, Hofland, Kovach, Laidlaw, Piper, Van Hellemond, and Wettstein (13)

VOTING AGAINST: (0)

CARRIED

Councillor Kovach retired from the meeting. (12:07 p.m.)

66 Eastview Road – Proposed Zoning By-law Amendment (File: ZC1307)

Mr. Chris DeVriendt, Senior Development Planner, advised that the application proposes to rezone lands to permit the development of 30 condominium units fronting onto two separate private roads accessed from Eastview Road and one single detached home accessed from the current limit of Carter Drive. He highlighted details of the Conservation Land and Wetland

portions of the proposal and informed Council that the solid waste management plan has yet to be addressed.

Mr. Paul Puopolo, applicant, said they are developing a portion of the property and are working with staff on the layout of the townhouses. He said they will meet with the Carter Drive residents to address the concerns raised regarding the driveway, storm drains, grading and safety.

9. Moved by Councillor Dennis
Seconded by Councillor Findlay

That Report 13-57 regarding a Zoning By-law Amendment application by Polocorp Inc/iPlus to permit the development of approximately 30 condominium townhouse units accessed from Eastview Road and one single detached dwelling at the end of Carter Drive at the property municipally known as 66 Eastview Road and legally described as Part of Lot 2, Concession 5, Division C, City of Guelph from Planning, Building, Engineering and Environment dated October 7, 2013, 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

1023 Victoria Road South – Proposed Draft Plan of Residential Subdivision (Phase 4 of the Kortright East Subdivision) and Associated Zoning By-law Amendment (File: 23T-01508/ZC1306) – Ward 6

Mr. Al Hearne, Senior Development Planner, gave an overview of the report and advised that this fourth phase of the subdivision proposing 29 semi-detached lots (58 units) and 10 blocks for single detached residential lots that will accommodate between 128 and 157 single detached dwellings and an open space/wetland block. He said the zoning by-law amendments will allow flexibility in the lot sizes and number of units and for protection of the Park/Conservation Land.

Ms. Nancy Shoemaker, on behalf of the applicant, provided a synopsis of the development phasing and advised that approximately 50% of the land will be conveyed to the City for wetland and there will be a small park in the phase. She explained the trail connections between the various phases of the subdivision.

10. Moved by Councillor Burcher
Seconded by Councillor Hofland

That Report 13-56 regarding a proposed Draft Plan of Residential Subdivision and associated Zoning Bylaw Amendment application (File 23T-01508 / ZC1306) by Black, Shoemaker, Robinson and Donaldson Limited on behalf of Northmanor Estates Inc., to permit a range of between 186 to 215 dwelling units applying to property described as Part of Northeast Half of Lot 4, Concession 8, formerly Township of Puslinch, municipally known as 1023 Victoria Road South, City of Guelph, from Planning, Building, Engineering and Environment dated October 7, 2013, 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

Special Resolutions

11. Moved by Councillor Burcher
Seconded by Councillor Furfaro

That Council suspend the rules of procedure related to 17.1(c) and 17.2(a) to allow for a special resolution to be introduced at the November 4, 2013 Council Planning meeting with respect to the Wilson Farm House matter.

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

Mayor Farbridge announced that Local Government week is October 20-26, 2013 and there are various activities planned.

Adjournment (12:29 p.m.)

12. Moved by Councillor Dennis
Seconded by Councillor Van Hellemond

That the meeting be adjourned.

CARRIED

Minutes to be confirmed on October 28, 2013.

Mayor Farbridge

Deputy Clerk

Recommended Zoning, Conditions & Staff Concept Plan

The property affected by the Zoning By-law Amendment application is municipally known as 151 Cityview Drive North and legally described as Lot 19, Registered Plan 462, City of Guelph.

PROPOSED ZONING

The following zoning is proposed for the subject site:

R.1C (Single Detached Residential) Zone

In accordance with Section 5.1 of Zoning By-law (1995)-14864, as amended.

PROPOSED CONDITIONS

The following conditions are provided as information to Council and will be imposed through an agreement with the City registered on title for the subject site:

1. That the 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.
2. 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.
3. Prior to any construction or grading on the lands, the Owner shall have a Professional Engineer design a **grading and drainage plan** for the site, satisfactory to the General Manager/City Engineer.
4. Prior to any construction or grading on the lands, the Owner enters into a **Storm Sewer Agreement**, as established by the City, registered on title.
5. The Owner shall pay to the City the actual **cost** of the construction of the **new driveway entrance** and the required **curb cut and/or curb fill** and furthermore, prior to any construction or grading on the lands, the Owner shall pay to the City the estimated cost of the new driveway entrance and the required curb cut and/or curb fill, as determined by the General Manager/City Engineer.
6. The Owner shall pay to the City the actual cost of **constructing, installing or removal of any service laterals** required and furthermore, prior to any construction or grading on the lands, the Owner 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.
7. Prior to any construction or grading on the lands, the Owner shall pay their proportionate share of the actual **cost to reconstruct Cityview Drive** along their frontage.
8. That the Owner constructs the new building at such an elevation that the lowest level of the new dwelling can be serviced with a **gravity connection** to the sanitary sewer.
9. The Owner makes satisfactory arrangements with **Union Gas** for the servicing of the lands, as well as provisions for any easements and/or rights-of-way for their plants, prior to any construction and grading of the lands.

10. That all electrical services to the lands are underground and the Owner shall make satisfactory arrangements with **Guelph Hydro Electric Systems Inc.** for the servicing of the lands, as well as provisions for any easements and/or rights-of-way for their plants, prior to any construction and grading of the lands.
11. The Owner shall ensure that all **telephone service and cable TV service** to the lands shall be underground. The Owner shall enter into a servicing agreement with the appropriate service providers for the installation of underground utility services for the lands.
12. The Owner shall ensure that any **domestic wells** located within the lands be properly decommissioned in accordance with Ministry of the Environment Regulations and Guidelines to the satisfaction of the City Engineer. Any boreholes drilled for hydrogeological or geotechnical investigations must also be properly abandoned.
13. The Owner acknowledges that the City does not allow **retaining walls** higher than 1.0 metres abutting existing residential properties without the permission of the City Engineer.
14. Prior to the passing of the zone change by-law, the owner shall enter into an **agreement with the City**, registered on title, satisfactory to the City Solicitor and the General Manager/City Engineer, covering the conditions noted above and to develop the site in accordance with the approved plans.