

Council Committee Room B
February 5, 2007 5:30 p.m.

A meeting of Guelph City Council.

Present: Mayor Farbridge, Councillors Beard, Bell, Billings, Burcher, Findlay, Hofland, Laidlaw, Piper, Salisbury and Wettstein

Absent: Councillors Farrelly and Kovach

Staff Present: Mr. L. Kotseff, Chief Administrative Officer; Chief S. Armstrong, Director of Emergency Services; Mr. D.A. Kennedy, Director of Finance/City Treasurer; Dr. J. Laird, Director of Environmental Services; Ms. L.E. Payne, Director of Corporate Services/City Solicitor; Mr. J. Riddell, Director of Community Design and Development Services; Ms. T. Agnello, Deputy Clerk; and Ms. J. Sweeney, Council Committee Co-ordinator

1. Moved by Councillor Laidlaw
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), (c), (e) and (f) of the Municipal Act, with respect to:

- personal matters about identifiable individuals;
- proposed or pending acquisition or disposition of land;
- litigation or potential litigation;
- advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

Carried

The meeting adjourned at 5:31 o'clock p.m.

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Mayor

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Deputy Clerk

Council Committee Room B
February 5, 2007 5:32 p.m.

A meeting of Guelph City Council meeting in Committee of the Whole.

Present: Mayor Farbridge, Councillors Beard, Bell, Billings, Burcher, Findlay, Hofland, Laidlaw, Piper, Salisbury and Wettstein

Absent: Councillors Farrelly and Kovach

Staff Present: Mr. L. Kotseff, Chief Administrative Officer; Chief S. Armstrong, Director of Emergency Services; Mr. D.A. Kennedy, Director of Finance/City Treasurer; Dr. J. Laird, Director of Environmental Services; Ms. L.E. Payne, Director of Corporate Services/City Solicitor; Mr. J. Riddell, Director of Community Design & Development Services; Mr. C. Manley, Manager of Policy Planning & Urban Design; Ms. S. Smith, Associate Solicitor; Ms. T. Agnello, Deputy Clerk; and Ms. J. Sweeney, Council Committee Co-ordinator

DECLARATIONS UNDER MUNICIPAL CONFLICT OF INTEREST ACT

There were no declarations of pecuniary interest.

1. Moved by Councillor Laidlaw
Seconded by Councillor Burcher

PASSED IN COUNCIL
BY SPECIAL
RESOLUTION

THAT Council direct staff to work with the Province to prepare a workplan to establish a mutually agreeable framework and time frame for the consultation and planning process for the York District Planning Area within the next several weeks.

Carried

2. Moved by Councillor Salisbury
Seconded by Councillor Beard

PASSED IN COUNCIL
BY SPECIAL
RESOLUTION

THAT Council approve and authorize the Mayor and Clerk to execute Minutes of Settlement in respect of the Ontario Municipal Board hearing involving St. Mary's Cement Inc. (Canada), the Township of Puslinch, the County of Wellington and the City of Guelph, being OMB File No. PL051229, regarding issues #4-6 on the issues list approved by the Board November 29, 2006 ("the Issues List"), in accordance with the Summary dated February 5, 2007, subject to final wording of such Minutes of Settlement being satisfactory to the Director, Community Design and Development Services and the City Solicitor;

AND THAT Council directs City staff to attend the Ontario Municipal Board hearing for OMB File No. PL051228 in respect of issues #1-3 on the Issues List and in support of the Minutes of Settlement which shall be subject to Board approval, with the request that such Minutes of Settlement shall take effect only if the Board approves the pit or any part thereof.

A recorded vote was requested, which resulted as follows:

VOTING IN FAVOUR: Councillors Beard, Bell, Burcher, Findlay, Hofland, Laidlaw, Piper, Salisbury, Wettstein, and Mayor Farbridge (10)

VOTING AGAINST: Councillor Billings (1)

The motion was carried

Mrs. L.A. Giles

3. Moved by Councillor Laidlaw
Seconded by Councillor Burcher
THAT Jeff Kawakami be appointed to the Board of Commissioners of Guelph General Hospital for a term expiring November 2010;

AND THAT Robert J. Carter, John Core and Peter Ferraro be appointed to the Board of Commissioners of Guelph General Hospital for a term expiring November 2007.

Carried

The meeting adjourned at 6:30 o'clock p.m.

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Mayor

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Deputy Clerk

Council Chambers
February 5, 2007

Council reconvened in formal session at 6:30 p.m.

Present: Mayor Farbridge, Councillors Beard, Bell, Billings, Burcher, Findlay, Hofland, Laidlaw, Piper, Salisbury and Wettstein

Absent: Councillors Farrelly and Kovach

Staff Present: Mr. L. Kotseff, Chief Administrative Officer; Chief S. Armstrong, Director of Emergency Services; Mr. D.A. Kennedy, Director of Finance/City Treasurer; Dr. J. Laird, Director of Environmental Services; Mr. D. McCaughan, Director of Operations; Ms.

L.E. Payne, Director of Corporate Services/City Solicitor; Mr. J. Riddell, Director of Community Design & Development Services; Mr. R. French, of Transit Services; Mr. I. Panabaker, Heritage/Urban Design Planner, Ms. T. Agnello, Deputy Clerk; and Ms. J. Sweeney, Council Committee Co-ordinator

DECLARATIONS UNDER MUNICIPAL CONFLICT OF INTEREST ACT

There was no declaration of pecuniary interest.

The Mayor advised that Laura Baily is not able to attend the meeting tonight and will be sworn into office at a future date.

1. Moved by Councillor Salisbury
Seconded by Councillor Wettstein

THAT the minutes of the Council meetings held on January 16, 17 and 22, 2007 and the minutes of the Council meetings held in Committee of the Whole on January 22 and 23, 2007 be confirmed as recorded and without being read;

AND THAT the minutes of the Council meeting held January 23, 2007 be amended to reflect in the recorded vote for Resolution #72 Councillor Hofland voting in favour and Councillor Findlay voting against;

AND THAT the minutes of the Council meeting held January 23, 2007 be confirmed as amended.

Carried

PRESENTATIONS

2006 Excellence in Urban Design Awards

Jim Taylor, Chair of the Excellence in Urban Design Awards Committee outlined the awards. The Mayor then presented each of the winners with a certificate:

- **Residential:-** Village by the Arboretum, 221 Stone Road East, Owner – Reid's Heritage Homes Ltd.
- **Industrial/Commercial/Institution:-** AgriCentre, 100 Stone Road West, Owner – Ontario AgriCentre Ltd.
- **Environmental Innovation:-** Guelph Hydro Administration and Service Centre, 395 Southgate Drive, Owner – Guelph Hydro Electric Systems Inc.
- **Heritage/Adaptive Reuse/Infill:-** Old Quebec Street, 55 Wyndham Street North (St. George's Square), Owner – The Barrel Works Guelph Ltd.

- **Heritage/Adaptive Reuse/Infill:** Graystone Residences, 371 Waterloo Avenue, Owner – J. Lammer Developments Ltd.

REGULAR MEETING

2. Moved by Councillor Beard
Seconded by Councillor Laidlaw
THAT Council now go into the Committee of the Whole to consider reports and correspondence.

Carried

CONSENT AGENDA

3. Moved by Councillor Billings
Seconded by Councillor Burcher
THAT the February 5, 2007 Consent Agenda as identified below, be adopted:

- a) **974 Edinburgh Road South: Draft Plan of Subdivision and Associated Zoning By-law Amendment (File 23T-06502, ZC0609)**

Ms. A. Clos
Mr. J. Riddell
Dr. J. L. Laird
Mr. D. McCaughan
Mr. G. Stahlmann
Ms. L.E. Payne

THAT Report 07-11 regarding a Draft Plan of Subdivision and Zoning By-law Amendment for property municipally known as 974 Edinburgh Road South from Community Design and Development Services dated February 5, 2007 be received;

AND THAT the application by Astrid Clos Planning Consultants on behalf of Terra View Homes for a Residential Draft Plan of Subdivision and associated Zoning By-law Amendment (File 23T-06502, ZC0609) on lands municipally known as 974 Edinburgh Road South and legally described as Part of Lot 5, Concession 7, Block 67 of Plan 61M-67, City of Guelph be approved in accordance with Schedule 1 attached.

- b) **265 Watson Parkway North and Part of Draft Plan 23T-98501 – proposed Draft Plan of Subdivision, Redline Amendment and Zoning By-law Amendment (FILE 23T-06501/ ZC0604)**

Ms. N. Shoemaker
Mr. J. Riddell
Dr. J.L. Laird
Mr. D. McCaughan
Mr. G. Stahlmann

THAT report 07-14 regarding 265 Watson Parkway North and Part of Draft Plan 23T-98501 from Community Design and Development Services dated February 5, 2007 be received;

Ms. L.E. Payne

AND THAT the application by Black, Shoemaker, Robinson and Donaldson Ltd on behalf of Carson Reid Homes Limited for a Residential Draft Plan of Subdivision and associated Zoning By-law Amendment at 265 Watson Parkway North (File 23T-06501, ZC0604) and for a Redline Amendment to Part of Draft Plan 23T-98501 on lands legally described as Part Lot 6, Concession 3, Div 'C' and Part Lot 6, Concession 4, Div. 'C' in the City of Guelph be approved, subject to the revised March 1, 2004 draft plan conditions for 23T-9805 included in Schedule 3 and in accordance with Schedule 2 attached.

Carried

4. Moved by Councillor Beard
Seconded by Councillor Laidlaw
THAT the Committee rise with leave to sit again.

Carried

5. Moved by Councillor Bell
Seconded by Councillor Findlay
THAT the action taken in Committee of the Whole in considering reports and correspondence, be confirmed by this Council.

Carried

SPECIAL RESOLUTIONS

York District Planning Area

6. Moved by Councillor Laidlaw
Seconded by Councillor Burcher
THAT Council direct staff to work with the Province to prepare a workplan to establish a mutually agreeable framework and time frame for the consultation and planning process for the York District Planning Area within the next several weeks.

Carried

OMB Hearing – St. Mary’s Cement (Canada) – proposed Mast-Snyder Pit in the Township of Puslinch

7. Moved by Councillor Salisbury
Seconded by Councillor Beard
THAT Council approve and authorize the Mayor and Clerk to execute Minutes of Settlement in respect of the Ontario Municipal Board hearing involving St. Mary’s Cement Inc. (Canada), the Township of Puslinch, the County of Wellington and the City of Guelph, being OMB File No. PL051229, regarding issues #4-6 on

Mr. J. Riddell
Mayor Farbridge

Ms. L.E. Payne
Mr. J. Riddell

the issues list approved by the Board November 29, 2006 (“the Issues List”), in accordance with the Summary dated February 5, 2007, subject to final wording of such Minutes of Settlement being satisfactory to the Director, Community Design and Development Services and the City Solicitor;

AND THAT Council directs City staff to attend the Ontario Municipal Board hearing for OMB File No. PL051228 in respect of issues #1-3 on the Issues List and in support of the Minutes of Settlement which shall be subject to Board approval, with the request that such Minutes of Settlement shall take effect only if the Board approves the pit or any part thereof.

Carried

BY-LAWS

8. Moved by Councillor Billings

Seconded by Councillor Burcher

THAT leave be now granted to introduce and read a first and second time By-laws Numbered (2007)-18225 to (2007)-18234, inclusive.

Carried

The By-laws were read a first and second time at 7:24 o'clock p.m.

Council went into Committee of the Whole on By-laws Numbers (2007)-18225 to (2007)-18234, inclusive.

Mayor Farbridge in the Chair.

At 7:25 o'clock p.m., the Committee rose and reported By-laws Numbered (2007)-18225 to (2007)-18234, inclusive, passed in Committee without amendment.

9. Moved by Councillor Burcher

Seconded by Councillor Billings

THAT By-laws Numbered (2007)-18225 to (2007)-18234, inclusive, be read a third time and passed.

Carried

The By-laws were read a third time and passed at 7:26 o'clock p.m.

QUESTIONS

In response to questions by Councillor Billings, the Director of Community Design & Development Services advised that the City's Zoning By-law does not permit body rub parlours.

In response to questions by Councillor Salisbury, the Director of Community Design & Development Services advised that staff investigate on a complaint basis, zoning issues.

NOTICE OF MOTION

Councillor Laidlaw advised that she will be bringing a motion to a future meeting of Council for Community, Operations and Emergency Services Committee with respect to the regulating of body rub parlours.

ADJOURNMENT

The meeting adjourned at 7:30 o'clock p.m.

Minutes read and confirmed February 19, 2007.

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Mayor

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Deputy Clerk

THAT the application by Astrid J. Clos Planning Consultants on behalf of Terra View Custom Homes for a Draft Plan of Residential Subdivision on .27 ha of land located at 974 Edinburgh Road South, legally described as Part of Lot 5, Concession 7, City of Guelph and Block 67 of Registered Plan 61M-67 BE APPROVED, subject to the following conditions:

1. That this subdivision approval applies only to a draft plan of subdivision prepared by Astrid J. Clos Planning Consultants dated June 14, 2006 (project No. 0533)

Conditions to be met prior to any grading or site alteration

2. That the Developer shall complete a tree inventory and conservation plan, satisfactory to the Director of Community Design and Development Services prior to any grading, tree removal or construction on the site.
3. That the Developer shall prepare and implement a construction traffic access and control plan for all phases of servicing and building construction to the satisfaction of the City Engineer. Any damage, repair or maintenance required to surrounding streets as a result of such traffic shall be at the developers cost.
4. That the developer agrees that no work including, but not limited to, tree removal grading or construction, will occur on the lands until the developer has obtained the written approval of the City Engineer.
5. That the Developer enters into an Engineering Services Agreement with the City, satisfactory to the City Engineer.
6. That the developer prepare a site drainage and grading plan, satisfactory to the City Engineer, for the entire subdivision, prior to the issuance of any building permit within the subdivision.
7. The developer shall at its expense implement and address all recommendations contained in the latest Environmental Implementation Report that has been approved by the City, for the subdivision, and the developer shall address each recommendation to the satisfaction of the Grand River Conservation Authority and the City.
8. That any domestic wells located within the lands be properly abandoned in accordance with current Ministry of the Environment Regulations and Guidelines to the satisfaction of the City Engineer. Furthermore any boreholes drilled for hydrogeological or geotechnical investigations must also be properly abandoned to the satisfaction of the City Engineer.
9. That the developer constructs, installs and maintains erosion and sediment control facilities including rear yard catchbasins and laterals, satisfactory to the City Engineer, prior to any grading or construction on the subdivision lands in accordance with a plan that has been submitted to and approved by the City Engineer. Furthermore, the developer shall have the consultant who designed the grading and erosion and sediment control plan inspect the site during all phases of development and construction including grading, servicing and building construction. The consultant shall monitor and inspect the

erosion and sediment control measures and procedures, and compliance with the Environment Implementation Report on a weekly or more frequent basis if required. The consultant shall report on his or her findings to the City on a monthly or more frequent basis.

Conditions to be met prior to execution of the subdivision agreement

10. That the developer makes arrangements, satisfactory to the City Engineer, concerning the scheduling of the development and the developer's payment of costs for services for the subdivision.
11. That the developer is responsible for a share of the cost, as determined by the City Engineer, of the existing municipal services abutting the lands on Rickson Avenue including the cost of the existing retaining wall. The developer is also responsible for a share of the cost, as determined by the City Engineer, of the existing municipal services on Edinburgh Road across the westerly 25.364 metres of frontage. Furthermore, the developer is responsible for a share of the cost, as determined by the City Engineer, of the existing stormwater management system serving the lands which is located external to the lands. Should the City receive notification in writing from the parties associated with the payment for the improvements to Rickson Avenue, Edinburgh Road and the storm water management system, payment by the developer for the existing services will not be required.
12. That the developer is responsible for the total cost of the design and construction of all services required by the City to service the lands. Furthermore, the developer is responsible for the cost of removing the existing retaining wall on Rickson Avenue.
13. That the developer is responsible for the total cost of the design and construction of any road work, including bus stop pads, boulevards and curbs, within or surrounding the plan of subdivision.
14. That the developer shall be responsible for the actual cost of constructing sanitary, water, weeping tile laterals including rear yard catchbasin laterals to service the lands. The owner shall apply for laterals and pay to the City the City's estimated cost for the laterals to the City, prior to the issuance of a building permit.
15. That the developer pays to the City the flat rate charge established by the City per metre of road frontage to be applied to tree planting within the proposed subdivision and that the developer agrees that the street trees will be greater than the City minimum standard size at approximately double the standard size.
16. That the developer agrees to plant one tree per lot in the rear yard at a size that is approximately double the minimum City standard using species selected from the City's approved trees for street plantings except where it is possible to retain an existing tree on a lot.
17. That the developer shall pay the cost of the installation of one, Second Order Benchmark within the lands at a location satisfactory to the City Engineer.

Conditions to be met prior to registration of the plan

18. That prior to the registration of the plan, or any part thereof, the approval of the City must be obtained with respect to the availability of adequate water supply and sewage treatment capacity.
19. The Developer shall submit a report prepared by a Professional Engineer to the satisfaction of the Chief Building Official certifying all fill placed below proposed building locations. All fill placed within the allowable zoning by-law envelope for building construction shall be certified to a maximum distance of 30 metres from the street line. This report shall include the following information: lot number, depth of fill, top elevation of fill and the area approved for building construction from the street line.
20. The Developer shall submit a report prepared by a Professional Engineer to the satisfaction of the Chief Building Official providing an opinion on the presence of soil gases (radon and methane) in the plan of subdivision in accordance with applicable provisions contained in the Ontario Building Code.
21. That the Developer enters into a Subdivision Agreement, to be registered on title, satisfactory to the City Solicitor, which includes all requirements, financial and otherwise to the satisfaction of the City of Guelph.
22. That the road widening shown as Blocks 10, be shown and dedicated as public highway.
23. That all easements and rights-of-way required by the City within or adjacent to the proposed subdivision be granted to the satisfaction of the City of Guelph, Guelph Hydro and other Guelph utilities.
24. That the Developer shall pay any outstanding debts owed to the City.
25. That the Developer pay development charges to the City in accordance with By-law Number (2004) - 17361, 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.
26. That the developer agrees to place the following notification in all offers of purchase and sale for all lots and/or dwelling units and in the City's subdivision agreement to be registered on title:
 - a. "Purchasers and/or tenants of all lots or units are advised that a transit route is or may be installed on Rickson Avenue and Edinburgh Road at the discretion of the City. The location of such route and bus stops will be determined based on the policies and requirements of the City. Such bus stops may be located anywhere along the route, including lot frontages".
27. That all telephone service and Cable TV service in and abutting the plan be underground and the developer shall enter into a servicing agreement with Bell Canada providing for the installation of underground telephone service prior to registration of the plan of subdivision.

28. That street lighting and underground wiring shall be provided throughout and abutting the subdivision at the developer's expense and in accordance with the policies of the City of Guelph and Guelph Hydro Electric Systems Inc.
29. That the developer shall be responsible for paying cash-in-lieu of parkland for the entire development, in accordance with the City of Guelph By-law (1989)-13410, as amended by By-law (1990)-13545, or any successor thereof, prior to the issuance of any building permits.
30. That the Developer shall pay to the City, the cost of reproduction and distribution of the Guelph Residents Environmental Handbook, to all future residents within the plan, with such payment based on a cost of one handbook per residential dwelling unit as determined by the City
31. That the Developer agrees to locate and construct all driveways accessing municipal streets to the satisfaction of the City Engineer.
32. That site plans for all corner building lots shall be submitted to the City Engineer for approval of driveway location.
33. That this Draft Approval shall lapse at the expiration of three years from the date of issuance Draft Plan Approval
34. That the developer agrees to provide the Upper Grand District School Board with a digital file of the plan of subdivision in either ARC/INFO export or DXF format containing the following information: parcel fabric and street network.

AND THAT the Zoning By-law amendment application be approved and that City Staff be instructed to prepare the necessary amendment to Zoning By-law Number (1995)-14864, as amended, to transfer portions of the subject lands from the current UR (Urban Reserve) Zone to the Specialized R.1D-2 (Residential Single Detached) Zone as follows:

Regulations

This zoning amendment is for property located at 974 Edinburgh Road South, legally described as Part of Lot 5, Concession 7, City of Guelph and Block 67 of Registered Plan 61M-67.

The following zoning is proposed:

R.1D-2 (Residential Single Detached)

Permitted Uses

In accordance with the Uses permitted by Section 5.1.1 of By-law Number (1995)-14864, as amended.

Regulations

In accordance with the provisions of Section 5.1.2 of By-law Number (1995)-14864, as amended, with the following exceptions:

Minimum Front Yard

Notwithstanding Row 6 of Table 5.1.2 of By-law Number (1995)-14864, as amended, the following minimum Front Yards shall apply:

- (a) minimum Front Yard - 6.0 metres from Street Line of local Streets
- (b) minimum Front Yard - 7.5 metres from Street Line of Edinburgh Road

Minimum Exterior Side Yard

Despite Section 4.28, the minimum exterior Side Yard shall be 4.5 metres.

Location of Legal Off-Street Parking Spaces

Notwithstanding Sections 4 and 5.1.2 of this By-law, the legal off-Street Parking Spaces shall be located to the rear of the Setback line and a minimum distance of 6 metres from the Street Line.

THAT the application by Black, Shoemaker, Robinson and Donaldson Ltd on behalf of Carson Reid Homes Limited for a Residential Draft Plan of Subdivision at 265 Watson Parkway North (File 23T-06501) and for a Redline Amendment to Part of Draft Plan 23T-98501 on lands legally described as Part Lot 6, Concession 3, Div 'C' and Part Lot 6, Concession 4, Div. 'C' in the City of Guelph, be approved, subject to the revised March 1, 2004 draft plan conditions for 23T-98501 included in Schedule 3 and the following conditions:

CITY CONDITIONS:

1. That this approval applies only to the Draft Plan of Subdivision at 265 Watson Parkway North (File 23T-06501) and the redline amendment to a portion of draft plan of subdivision plan 23T-98501 prepared by Black, Shoemaker, Robinson and Donaldson Ltd. dated July 28, 2006 (project No. 04-5402-5) subject to the revisions shown in "red" on Schedule 4 of the Community Design and Development Services report dated February 5, 2007.

Conditions to be met prior to grading and site alteration

2. That the Developer enters into an Engineering Services Agreement with the City, satisfactory to the City Engineer.
3. That the developer prepare a site drainage and grading plan for the entire subdivision, satisfactory to the City Engineer.
4. That the developer constructs, installs and maintains erosion and sediment control facilities, satisfactory to the City Engineer, prior to any grading or construction on the subdivision lands in accordance with a plan that has been submitted to and approved by the City Engineer. Furthermore, the developer shall provide a qualified Environmental Inspector, satisfactory to the City Engineer, to inspect the site during all phases of development and construction including grading, servicing and building construction. The environmental inspector shall monitor and inspect the erosion and sediment control measures and procedures, and compliance with the Environment Impact Study on a weekly or more frequent basis if required. The environmental inspector shall report on his or her findings to the City on a monthly or more frequent basis.
5. The developer shall prepare and follow an Environmental Implementation Report based on Terms of Reference prepared by the applicant and approved by the City and the Grand River Conservation Authority (GRCA) which includes a monitoring program to assess the performance of the storm water management facilities. Furthermore, the report shall address the information and implementation process to get details to the home owners concerning the storm sewer and storm water management process.
6. The developer shall at its expense implement and address all recommendations contained in the latest Environmental Impact Study, that has been approved by the City, for the subdivision, and the developer shall address each recommendation to the satisfaction of the Grand River Conservation Authority and the City. Further, that the Developer complete a tree inventory and conservation plan satisfactory to the Director of Community Design and Development Services.

7. That the developer shall prepare and implement a construction traffic access and control plan for all phases of servicing and building construction to the satisfaction of the City. All damage or maintenance required to surrounding streets as a result of such traffic shall be at the developers cost.
8. That the developer shall submit a detailed Stormwater Management Report and Plans to the satisfaction of the City Engineer which show how stormwater will be controlled and conveyed to the receiving water body. The report and plans shall address the issue of water quality in accordance with recognized best management practices and Provincial Guidelines.
9. That the developer shall stabilize all disturbed soil within 90 days of being disturbed, control all noxious weeds and keep ground cover to a maximum height of 150 mm (6 inches) until the release of the subdivision agreement on the block/lot so disturbed.
10. That the developer agrees that no work, including, but not limited to tree removal, grading or construction, will occur on the lands until such time as the developer has obtained written permission from the City Engineer or has entered into a Subdivision Agreement with the City.
11. That any domestic wells and boreholes for hydrogeological or geotechnical investigations be properly abandoned in accordance with the current Ministry of the Environment Regulations and Guidelines to the satisfaction of the City Engineer.

Conditions to be met prior to execution of the subdivision agreement

12. That the developer agrees that, in the event that development of the property is to be phased, a phasing plan must be submitted prior to final approval and registration of the first phase.
13. That the Developer agrees to pay the costs related to the installation of 1- second order, second level Geodetic Benchmarks in locations within the proposed subdivision to the satisfaction of the City Engineer.
14. That the developer is responsible for the total cost of the design and construction of any road works, including sidewalks, boulevards and curbs, within or surrounding the plan of subdivision.
15. That the developer pays the cost of supplying and erecting street name and traffic control signs in the subdivision, to the satisfaction of the City.
16. That the developer pays to the City the flat rate charge established by the City per metre of road frontage to be applied to tree planting within the proposed subdivision.
17. That the developer is responsible for the total cost of the design and construction of all services required to service all lands within the plan of subdivision, including sanitary, storm and water facilities, the distance and alignment to be determined by the City of Guelph, with such costs to include services required to service the subdivision which are located outside the limits of the subdivision.

18. That the developer pays the cost of all existing services within and abutting the proposed subdivision, as determined by the City Engineer. Furthermore, the developer shall be responsible for a share of the cost, as determined by the City Engineer, of the existing municipal services on Watson Parkway abutting the lands.
19. That the developer makes arrangements, satisfactory to the City Engineer concerning the scheduling of the development and the developer's payment of costs for services within the subdivision.
20. That the developer shall be responsible for paying cash-in-lieu of parkland for draft plan of subdivision 23T06501, in accordance with the City of Guelph By-law (1989)-13410, as amended by By-law (1990)-13545, or any successor thereof, prior to the registration of the plan.

Conditions to be met prior to registration

21. That the Developer enters into a Subdivision Agreement, to be registered on title, satisfactory to the City Solicitor, which includes all requirements, financial and otherwise to the satisfaction of the City of Guelph.
22. That the developer shall pay any outstanding debts owed to the City, prior to the registration of the plan.
23. That the registration of the plan, or any part thereof, shall require approval of the City with respect to adequate water supply and sewage treatment capacity being available, prior to the registration of the plan.
24. The developer shall pay development charges to the City in accordance with the City's Development Charges By-law, 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.
25. That all easements and rights-of-way required within or adjacent to the proposed subdivision be granted to the satisfaction of the City of Guelph, Guelph Hydro and other Guelph utilities.
26. That street lighting and underground wiring shall be provided throughout the subdivision at the developer's expense and in accordance with the policies of the City of Guelph and Guelph Hydro.
27. That the road allowances included in the draft plan and the road widening for Watson Parkway (Block1), be shown and dedicated as public highways and that prior to the registration of any phase of the subdivision, the City shall receive a letter from the O.L.S. preparing the plan that certifies that the layout of the roads in the plan conforms to the City's "Geometric Design Criteria - July 23, 1993" with the exception of the road widths which shall comply with the widths shown on the approved draft plan of subdivision.

28. That the developer acknowledges that the suitability of the land for the proposed uses is the responsibility of the landowner. The developer shall retain a properly qualified consultant to prepare a Phase 1 Environmental Site Assessment (and any other subsequent phases required), to assess any real property to be conveyed to the City to ensure that such property is free of contamination. If contamination is found, the consultant will determine its nature and the requirements for its removal and disposal at the Developer's expense. Prior to the registration of the plan, the consultant shall certify that all properties to be conveyed to the City are free of contamination.
29. That the developer shall pay to the City, the total cost of reproduction and distribution of the Guelph Residents Environmental Handbook, to all future residents within the plan, with such payment based on a cost of one handbook per residential dwelling unit as determined by the City.
30. That the developer deeds to the City all lands required for the City for Storm Water Management facilities including Block 5. In addition, the developer shall deed to the City all Open Space Blocks, including Blocks 3 and 6. Furthermore, the developer shall demarcate and fence (living and/or chain link), the boundaries of all lands conveyed to the City to the satisfaction of the City Engineer and in accordance with the City of Guelph Property Demarcation Policy.
31. That the developer shall deed Block 7 to the City for Open Space and furthermore, that the boundary of Block 7 shall be demarcated in accordance with the City of Guelph Property Demarcation Policy.
32. That the developer shall be responsible for the cost of design and development of the demarcation of all lands conveyed to the City in accordance with the City of Guelph Property Demarcation Policy. This shall include submitting drawings completed by a registered Ontario Association of Landscape Architect (OALA) member for approval to the satisfaction of the Director of Planning and Development Services. The developer shall provide the City with cash or letter of credit to cover the City's estimate for the cost of the "Property Demarcation" improvements and works for the City lands to the satisfaction of the Director of Community Design and Development Services.
33. That the developer shall be responsible for the cost of design and implementation the Open Space Restoration in accordance with the "Environmental Implementation Report" to the satisfaction of the Director of Community Design and Development Services. The developer shall provide the City with cash or letter of credit to cover the City's estimate for the cost of the Open Space Restoration works for the City lands to the satisfaction of the Community Design and Development Services.
34. That the developer shall design and develop the Storm Water Management Facility Landscaping in accordance with the "Design Principles for Storm Water Management Facilities" to the satisfaction of the Director of Community Design and Development Services The developer shall provide the City with cash or letter of credit to cover the City's estimate for the cost of the Storm Water Facility Landscaping to the satisfaction of the Director of Community Design and Development Services.

35. The developer shall be responsible for the cost of design of the Pedestrian Trail System for the Storm Water Management & Open Space Blocks. This shall include submitting drawings for approval, identifying the trail system, interpretative signage and trail design details, to the satisfaction of the Director of Community Design and Development Services.
36. That Lot 20 be deeded to the City and held, in accordance with the policy of the City, until the proposed street along the southeasterly boundary of the lot is extended into the abutting lands in Guelph/Eramosa Township, to the satisfaction of the City Engineer or until the lot can be developed to the satisfaction of the City Engineer.
37. That the developer shall erect signs at the entrances to the subdivision showing the proposed land uses and zoning of all lots and blocks within the proposed subdivision and predominantly place on such signs the wording "For the zoning of all lands abutting the subdivision, inquiries should be directed to the Department of Planning and Development Services, City Hall". Further, the signs shall also advise that Watson Parkway will be upgraded to four lanes of traffic and may be used as a truck route.
38. That the developer shall include in the subdivision agreement and insert in all agreements of purchase and sale or lease for each dwelling unit abutting the common boundary between the City and the Township of Guelph Eramosa the following warning clause:
 - “The land adjacent to this subdivision is being actively farmed which includes activities such as herbicide application, nutrient application, planting and harvesting of various crops which may affect the living environment of residents living in close proximity to the farming operations.”
39. That the developer agrees to place the following notifications in all offers of purchase and sale for all lots and/or dwelling units and in the City’s subdivision agreement to be registered on title:
 - “Purchasers and/or tenants all lots and units are advised that the Stormwater Management Block has been vegetated to create a natural setting. Be advised that the City will carry out routine maintenance such as grass cutting. Some maintenance may occur in the areas that are developed by the City for public walkways, bikeways and trails.”
 - “Purchasers and/or tenants of all lots are advised that the Open Space Block has been retained in its natural condition. Be advised that the City will not carry out regular maintenance such as grass cutting. Periodic maintenance may occur from time to time to support the open space function and public trail system.”
 - “Purchasers and/or tenants of all lots are advised that the boundaries of the open space, storm water management and park blocks will be demarcated in accordance with the City of Guelph Property Demarcation Policy. This demarcation will consist of living fences and property demarcation markers adjacent to the park block and black vinyl chain link fence adjacent to open space and stormwater management blocks. The developer shall also send written notification of proposed demarcation types to any existing homeowners in lots adjacent to the open space, storm water management and park blocks.”

- “Purchasers and/or tenants of all lots are advised that sump pumps will be required for every lot unless a gravity outlet for the foundation drain can be provided on the lot in accordance with a design by a Professional Engineer. Furthermore, the Developer shall ensure that all sump pumps are discharged to the rear yard and the Developer shall notify all purchasers that the discharge shall be to the rear yard.”
- “Purchasers and/or tenants of all lots or units are advised that a transit route may be installed on Severn Drive within the subdivision at the discretion of the City. The location of such route and bus stops will be determined based on the policies and requirements of the City. Such bus stops may be located anywhere along the route, including lot frontages.”

Conditions to be met prior to issuance of a building permit

40. That any retaining walls required to accommodate the grading on Lot 9 shall be designed and the construction supervised by a qualified Professional Engineer. Furthermore, the retaining wall shall be located on Lot 9 and shall be constructed at the expense of the developer, prior to the release of building permits.
41. That any retaining walls required to accommodate the grading on Blocks 5 and 8 shall be designed and the construction supervised by a qualified Professional Engineer. Furthermore, the retaining wall shall be located on Blocks 5 and 8 and shall be constructed at the expense of the developer, prior to the release of building permits.
42. That the developer obtain consents, satisfactory to the City, from the owners and the Township authorities prior to any grading and/or filling that is required in Guelph/Eramosa Township to accommodate the grading on Lots 12 to 20 inclusive. Furthermore, all grading, filling and restoration operations in Guelph/Eramosa Township shall be completed prior to the issuance of building permits.
43. The developer shall submit a report prepared by a Professional Engineer to the satisfaction of the Chief Building Official certifying all fill placed below proposed building locations. All fill placed within the allowable zoning by-law envelope for building construction shall be certified to a maximum distance of 30 metres from the street line. This report shall include the following information: lot number, depth of fill, top elevation of fill and the area approved for building construction from the street line.
44. That the developer shall submit a report prepared by a Professional Engineer to the satisfaction of the Chief Building Official providing an opinion on the presence of soil gases (radon and methane) in the plan of subdivision in accordance with applicable provisions contained in the Ontario Building Code.
45. That site plans for all corner building lots, as determined by the City Engineer, shall be submitted to the City Engineer for approval of driveway location.

AGENCY CONDITIONS:

46. That all telephone service and cable TV service in the plan be underground and the developer shall enter into a servicing agreement with Bell Canada providing for the installation of underground telephone service prior to registration of the plan of subdivision.
47. That the developer and the Wellington Catholic School Board reach an agreement regarding the supply and erection of signage, at the developer's expense, affixed to the subdivision sign advising potential Separate School supporters of the location of schools serving the area and the current practice of busing students outside the immediate area should schools in the area be at capacity.
48. That the developer agrees to provide the Upper Grand District School Board with a digital file of the plan of subdivision in either ARC/INFO export or DXF format containing the following information: parcel fabric and street network.
49. That the developer agrees in the subdivision agreement to advise all purchasers of residential units and/or renters of same, by inserting the following clause in all offers of Purchase and Sale/Lease, until such time as a permanent school is assigned:
 - “Whereas the Upper Grand District School Board has designated this subdivision as a Development Area for the purposes of school accommodation, and despite the best efforts of the Upper Grand District School Board, sufficient accommodation may not be available for all anticipated students from the area, you are hereby notified that students may be accommodated in temporary facilities and/or bused to a school outside the area, and further, that students may in future have to be transferred to another school.
50. That the developer and the Upper Grand District School Board shall reach an agreement regarding the supply and erection of a sign (at the developer's expense and according to Upper Grand District School Board specifications) affixed to the permanent development sign advising perspective residents that students may be directed to schools outside the neighbourhood.
51. The developer shall satisfy all requirements and conditions of Canada Post including advisories and suitable mailbox locations. The developer shall ensure that the eventual lot/home owner is advised in writing by the developer/subdivider/builder that Canada Post has selected the municipal easement to their lot for a Community Mail Box installation and the developer shall be responsible for the installation of concrete pads in accordance with the requirements of Canada Post, in locations to be approved by Canada Post to facilitate the placement of Community Mail Boxes. The concrete pads are to be poured at the time of curb installation within each phase of the subdivision.
52. That this Draft Plan Approval shall lapse at the expiration of 3 years from the date of issuance of the extension of Draft Plan approval.
53. That prior to the registration of all or any portion of the plan, the Wellington Catholic District School Board shall advise the City in writing how condition 47 has been satisfied.

54. That prior to the registration of all or any portion of the plan, Upper Grand District School Board shall advise the City in writing how conditions 48, 49 and 50 have been satisfied.
55. That prior to the registration of all or any portion of the plan, Guelph Hydro Electric Systems Inc, shall advise the City in writing how conditions 25 and 26 have been satisfied.
56. That prior to the registration of all or any portion of the plan, Canada Post shall advise the City in writing how condition 51 has been satisfied.

AND THAT the Zoning By-law amendment application be approved and that City Staff be instructed to prepare the necessary amendment to Zoning By-law Number (1995)-14864, as amended, to transfer the subject lands from the current Urban Reserve UR Zone, Floodway FL Zone, Park P.1 Zone, Cluster Townhouse R.3A (H15) Zone, Specialized Single Detached R.1D-12 (H15) Zone, and Specialized Single/Semi Detached R.2-6 (H15) Zone to the following zoning categories as follows:

LOTS OR BLOCKS	PROPOSED ZONING
Lots 9-31	R.1D Detached Dwellings – minimum frontage of 9 metres
Blocks 2 and 8	R.3A-13 Cluster Townhouses Existing zone permits apartment units at a maximum density of 74.1 units/ha
Blocks 4 and 34	R.3B-7 On-Street Townhouses Existing zone permits a maximum building coverage of 50%
Block 5	P.1 Stormwater Management
Blocks 6 and 7	P.1 Open Space
Block 3	FL Floodplain