

Council Committee Room B
June 19, 2006 5:00 p.m.

A meeting of Guelph City Council.

Present: Mayor Quarrie, Councillors Baily, Billings, Birtwistle, Downer, Ferraro, Furfaro, Moziar and Schnurr.

Absent: Councillors Kovach, Laidlaw, Hamtak and Burcher

Staff Present: Mr. L. Kotseff, Chief Administrative Officer; Chief S. Armstrong, Director of Emergency Services; Ms. P. Blais, Director of Human Resources; 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 Planning & Development Services; Mr. G. Stahlmann, Director of Community Services; Mr. G. Hunt, Manager, Employee/Employer Relations, Assistant Director of Human Resources; Mrs. L.A. Giles, City Clerk/Manager of Council Administrative Services; and Ms. J. Sweeney, Council Committee Co-ordinator

1. Moved by Councillor Baily
Seconded by Councillor Birtwistle

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), (d) and (e) of the Municipal Act, with respect to:

- personal matters about identifiable individuals;
- proposed or pending acquisition or disposition of land;
- labour relations or employee negotiations;
- litigation or potential litigation.

Carried

The meeting adjourned at 5:01 o'clock p.m.

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Mayor

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Clerk

Council Committee Room B
June 19, 2006 5:02 p.m.

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

Present: Mayor Quarrie, Councillors Baily, Billings, Birtwistle, Burcher, Downer, Ferraro, Furfaro, Hamtak, Laidlaw, Moziar and Schnurr.

Absent: Councillor Kovach

Staff Present: Mr. L. Kotseff, Chief Administrative Officer; Chief S. Armstrong, Director of Emergency Services; Ms. P. Blais, Director of Human Resources; 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 Planning & Development Services; Mr. G. Stahlmann, Director of Community Services; Mr. G. Hunt, Manager, Employee/Employer Relations, Assistant Director of Human Resources; Mrs. L.A. Giles, City Clerk/Manager of Council Administrative Services; and Ms. J. Sweeney, Council Committee Co-ordinator

DECLARATIONS UNDER MUNICIPAL CONFLICT OF INTEREST ACT

There were no declarations of pecuniary interest.

The Manager, Employee/Employer Relations, Assistant Director of Human Resources provided an update with respect to negotiations.

The Director of Corporate Services/City Solicitor provided information with respect to a potential litigation matter.

1. Moved by Councillor Furfaro
Seconded by Councillor Ferraro
THAT staff be given direction with respect to a proposed acquisition of land.

Mr. J. Riddell
Ms. L.E. Payne
Mr. D.A. Kennedy

Carried

2. Moved by Councillor Laidlaw
Seconded by Councillor Burcher
THAT the interim agreement between the City and Royal City Ambulance Ltd. be extended until July 31, 2006.

**PASSED IN COUNCIL
BY SPECIAL
RESOLUTION**

Carried

3. Moved by Councillor Birtwistle
Seconded by Councillor Baily
THAT the matter with respect to personal matters about identifiable individuals be received for information.

Dr. J.L. Laird

Carried

4. Moved by Councillor Schnurr

Mrs. L.A. Giles
Ms. L. Warren

Seconded by Councillor Ferraro
THAT the correspondence received from Emily Vincent tendering her resignation from the Accessibility Advisory Committee be received.

Carried

The Manager of Council Administration/City Clerk provided information with respect to a litigation matter.

The meeting adjourned at 5:55 o'clock p.m.

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Mayor

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Clerk

Council Chambers
June 19, 2006

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

Present: Mayor Quarrie, Councillors Baily, Billings, Birtwistle, Burcher, Downer, Ferraro, Furfaro, Hamtak, Laidlaw, Moziar and Schnurr.

Absent: Councillor Kovach

Staff Present: Mr. L. Kotseff, Chief Administrative Officer; Chief S. Armstrong, Director of Emergency Services; Ms. Pauline Blais, Director of Human Resources; 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 Planning & Development Services; ; Mr. G. Stahlmann, Director of Community Services; Mr. R. Tolkunow, City Engineer/Manager of Engineering Services; Mrs. L.A. Giles, City Clerk/Manager of Council Administrative Services; and Ms. J. Sweeney, Council Committee Co-ordinator

DECLARATIONS UNDER MUNICIPAL CONFLICT OF INTEREST ACT

There was no declaration of pecuniary interest.

1. Moved by Councillor Ferraro
Seconded by Councillor Billings

THAT the minutes of the Council meetings held on June 5, 2006 and the minutes of the Council meeting held in Committee of the Whole on June 5, 2006 be confirmed as recorded and without being read.

Carried

The Mayor advised that there were no delegations.

2. Moved by Councillor Hamtak
Seconded by Councillor Baily

THAT Council now go into the Committee of the Whole to consider reports and correspondence.

Carried

Councillor Birtwistle presented the SIXTH REPORT of the Planning, Environment & Transportation Committee.

200 Beverley Street (former IMICO Property)

It was requested that the clauses be separated.

3. Moved by Councillor Birtwistle
Seconded by Councillor Downer

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

THAT staff be directed to proceed as outlined in the Report of the Director of Corporate Services and City Solicitor dated June 5, 2006 in respect of 200 Beverley Street;

AND THAT the Manager of Realty Services be authorized to execute the application to the Federation of Canadian Municipalities, including any other required documents, for Green Municipal Funds relating to feasibility studies at 200 Beverley Street.

Carried

4. Moved by Councillor Birtwistle
Seconded by Councillor Downer

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

THAT approximately 3 to 4 acres of the 200 Beverley Street property, with access to Stevenson Street, be dedicated for park purposes in the final redevelopment scheme for the site.

Carried

CONSENT AGENDA

The following items #A-1, A-2, A-3, A-4, A-8 and A-12 were extracted from the Consent Agenda to be voted on separately.

5. Moved by Councillor Birtwistle
Seconded by Councillor Baily

THAT the balance of the June 19, 2006 Consent Agenda as identified below, be adopted:

- a) **Noise Control By-law Exemption request for the Festival Italiano at the Italian Canadian Club of Guelph**

Mr. J. Riddell
Mr. B. Poole
Chief R. Davis

THAT an exemption from Schedule A of Noise Control By-law (2000)-16366, as amended, to permit noise from the various activities associated with the Festival Italiano including the amplification of music and speech and the operation of midway rides and generators between the hours of 11:00 a.m. to 11:00 p.m. and crowd noise from 11:00 p.m. to 1:00 a.m., from July 7th to July 9th, 2006, be approved.

- b) **Noise Control By-law Exemption Request for the New Student Orientation Week at the University of Guelph**

Mr. J. Riddell
Mr. B. Poole
Chief R. Davis

THAT an exemption from Schedule A of Noise Control By-law (2000)-16366, as amended, to permit noise from the various activities associated with the New Student Orientation Week including the amplification of music and speech and crowd noise between the hours of 11:00 p.m. to 12:00 a.m. from September 3rd to September 9th, 2006, be approved.

- c) **1554646 Ontario Inc. – 35 Cowan Place, Hanlon Business Park**

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

THAT as outlined in the report of the Director of Planning & Development Services dated June 19, 2006 regarding 1554646 Ontario Inc. and lands described as Part of Lot 1, Registered Plan 680 and designated as Parts 7, 8, 9, 10, 11 and 12, Reference Plan 61R 9344, the City Solicitor be directed to:

1. Prepare and register on Title a Transfer Release and Abandonment of Easement in respect of the sanitary sewer over Parts 4, 8 and 11, Reference Plan 61R 9344 with all costs, including registration costs, to be borne by the City of Guelph.
2. Prepare and register on title a 6.0 metre wide easement along parts 7, 10, 12 Reference Plan 61R 9344 the southerly property line at a location to be determined by the City for sanitary sewer and open storm ditch purposes, subject to a confirming legal survey to be prepared by the City of Guelph, with all

costs including survey and registration costs to be borne by the City of Guelph.

3. Prepare and register on title a 6.0 metre wide easement from the end of Cowan Place and to Hanlon Road at a location to be determined by the City for an emergency access route, subject to a confirming legal survey to be prepared by the City of Guelph at its cost, and with all other costs including registration costs to be borne by 1554646 Ontario Inc. and prepare and register any other related documentation.

d) **Annual Asphalt Paving – Various Locations Contract No. 2-0617**

Mr. J. Riddell
Mr. R. Tolkunow
Mr. D.A. Kennedy

THAT the tender of Capital Paving Inc. be accepted and that the Mayor and Clerk be authorized to sign the agreement for Contract 2-0617 for Annual Asphalt Paving – Various Locations for a total tendered price of \$3,278,515.94 with actual payment to be made in accordance with the terms of the contract.

e) **Realignment Plan Update**

Mr. L. Kotseff

THAT Report ADMIN-06-003 dated June 19th, 2006, with respect to the realignment plan update, be received for information.

f) **Guelph's Strategic Plan Report Card**

Mr. L. Kotseff

THAT Report ADMIN-06-002 dated June 19, 2006, with respect to Guelph's Strategic Plan Report Card, be received for information.

Carried

Proposed Demolition of a Detached Dwelling known municipally as 82 Water Street, Ward 5

Updated Recommendations for the Proposed Demolition of a Detached Dwelling known Municipally as 171 Arthur Street North, Ward 2

6. Moved by Councillor Birtwistle
Seconded by Councillor Bailly

Mr. J. Riddell
Mr. B. Poole

THAT the application to demolish the detached dwelling known municipally as 82 Water Street be approved and that the following condition apply:

1. That the structure be photographically recorded to the satisfaction of Heritage Guelph and entered into the City of Guelph archives prior to the issuance of the demolition permit.

AND THAT the application to demolish the detached dwelling known municipally as 171 Arthur Street North be approved.

Carried

Dunnink Homes Limited (58 & 78 Fleming Road) – Proposed Draft Plan of Subdivision and Associated Zoning By-law Amendment (File 23T-03502 / ZC0304)

Mr. L. Van Harten
Mr. J. Riddell
Mr. D.A. Kennedy
Mr. G. Stahlmann
Mr. D. McCaughan
Ms. L.E. Payne

7. Moved by Councillor Schnurr
Seconded by Councillor Billings

THAT report 06-46 regarding Dunnink Homes Limited from Planning and Development Services dated June 19, 2006 be received;

AND THAT the application by Van Harten Surveying Inc. on behalf of Dunnink Homes Limited for approval of a Draft Plan of Subdivision (File 2303502) and associated Zoning By-law Amendment (ZC0304) on lands municipally known as 58 and 78 Fleming Road and described legally as Part of Lots 16, 17 and 18, Registered Plan 468, City of Guelph, be approved, subject to the conditions contained in Schedule 1 attached hereto;

AND THAT Conditions 45a and 46b contained in Schedule 1, be deleted.

Carried

Elmira Road/Goderich Exeter Railway Grade Separation and Approaches, Contract No., 2-0601

Mr. J. Riddell
Mr. R. Tolkunow
Mr. D.A. Kennedy

8. Moved by Councillor Moziar
Seconded by Councillor Birtwistle

THAT the tender of McLean Taylor Construction Ltd. be accepted and that the Mayor and Clerk be authorized to sign the agreement for Contract 2-0601 for the Elmira Road/Goderich Exeter Railway Grade Separation and Approaches for a total tendered price of \$3,685,994.15, with actual payment to be made in accordance with the terms of the contract.

Carried

Eramosa River Park – Proposed Volleyball Courts

Councillor Laidlaw presented the Manager of Council Administration/City Clerk with a neighbourhood petition requesting that the removal of the beach volleyball standards in Mayfield Park be stopped and that the court be returned to its pre-2005 size to prevent future league play.

9. Moved by Councillor Billings
Seconded by Councillor Hamtak

Mr. D. McCaughan

THAT a beach volleyball court be created in Eramosa River Park by June 30th, 2006;

AND THAT a second beach volleyball court be created at Eramosa River Park providing that Perpetual Motion Sports & Entertainment Inc, pay the cost for its construction in advance in exchange for the waiving of user-fees of an equal amount;

AND THAT the removal of the volleyball standards from the Mayfield Park beach volleyball court be deferred until after the Finance, Administration and Community Services Committee reviews the matter as directed by Council.

Carried

Gordon Street/Norfolk Street Reconstruction – Speed River to Waterloo Avenue, Contract No. 2-0606

10. Moved by Councillor Hamtak

Seconded by Councillor Laidlaw

THAT Contract No. 2-0606 Gordon Street/Norfolk Street Reconstruction – Speed River to Waterloo Avenue not be awarded and that the project be re-tendered in the fall of 2006 for construction in 2007.

A recorded vote was requested, which resulted as follows:

VOTING IN FAVOUR: Councillors Billings, Birtwistle, Ferraro, Hamtak and Schnurr (5)

VOTING AGAINST: Councillors Baily, Burcher, Downer, Furfaro, Laidlaw, Moziar and Mayor Quarrie (7)

The motion was defeated.

11. Moved by Councillor Furfaro

Seconded by Councillor Burcher

THAT the tender of Drexler Construction be accepted and that the Mayor and Clerk be authorized to sign the agreement for Contract No. 2-060 for the Gordon Street/Norfolk Street Reconstruction – Speed River to Waterloo Avenue for the total tendered price of \$6,489,135.50, with actual payment to be made in accordance with the terms of the contract;

AND THAT the reconstruction of the Norfolk/MacDonnell Streets intersection to permit a right hand turn onto MacDonnell Street be included under Contract No. 2-060.

A recorded vote was requested, which resulted as follows:

VOTING IN FAVOUR: Councillors Baily, Burcher, Downer, Furfaro, Laidlaw, Moziar and Mayor Quarrie (7)

Mr. J. Riddell
Mr. R. Tolkunow
Mr. D.A. Kennedy

VOTING AGAINST: Councillors Billings, Birtwistle, Ferraro, Hamtak and Schnurr (5)

The motion was carried.

In response to questions by Councillor Birtwistle, the Chief Administrative Officer advised that the Guelph's Strategic Plan Report Card would be made available to the public.

12. Moved by Councillor Downer
Seconded by Councillor Birtwistle
THAT the Committee rise with leave to sit again.

Carried

13. Moved by Councillor Laidlaw
Seconded by Councillor Burcher
THAT the action taken in Committee of the Whole in considering reports and correspondence, be confirmed by this Council.

Carried

SPECIAL RESOLUTION

Interim Agreement with Royal City Ambulance

Chief. S. Armstrong
Mr. D.A. Kennedy

14. Moved by Councillor Laidlaw
Seconded by Councillor Burcher
THAT the interim agreement between the City and Royal City Ambulance Ltd. be extended until July 31, 2006.

Carried

BY-LAWS

15. Moved by Councillor Moziar
Seconded by Councillor Furfaro
THAT leave be now granted to introduce and read a first and second time By-laws Numbered (2006)-18058 to (2006)-18067, inclusive.

Carried

The By-laws were read a first and second time at 7:36 o'clock p.m.

Council went into Committee of the Whole on By-laws Numbers (2006)-18058 to (2006)-18067, inclusive.

Mayor Quarrie in the Chair.

At 7:37 o'clock p.m., the Committee rose and reported By-laws Numbered (2006)-18058 to (2006)-18067, inclusive, passed in Committee without amendment.

16. Moved by Councillor Schnurr
Seconded by Councillor Hamtak
THAT By-laws Numbered (2006)-18058 to (2006)-18067, inclusive, be read a third time and passed.

Carried

The By-laws were read a third time and passed at 7:38 o'clock p.m.

QUESTIONS

In response to questions by Councillor Birtwistle, the Director of Environmental Services advised of the current status of water use, which is Code Blue which allows alternative day lawn watering.

In response to questions by Councillor Birtwistle, the Chief Administrative Officer advised that staff will report back with respect to the City's 180th anniversary in 2007.

In response to questions by Councillor Birtwistle, the Chief Administrative Officer advised that staff will review the proposed changes to the Municipal Act and their impact to the City of Guelph.

MAYOR'S ANNOUNCEMENTS

Councillors Baily and Furfaro will be holding a Ward 1 Public Meeting on June 29, 2006 in the Council Chambers at City Hall, 59 Carden Street, starting at 7:00 p.m.

ADJOURNMENT

The meeting adjourned at 7:41 o'clock p.m.

Minutes read and confirmed July 17, 2006.

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Mayor

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Clerk

REGULATIONS AND CONDITIONS

CITY CONDITIONS

1. That this approval applies only to the revised draft plan of subdivision prepared by Van Harten Surveying Inc. on behalf of Dunnink Homes Limited, Project No. 15169-02, dated December 6, 2005, to include the development of 23 single detached dwellings and a 9 metre wide pedestrian walkway block, as shown on **Schedule 4**, including reserves.
 - a. The Draft Plan shall be **redlined** to include a **0.3 metre reserve** at the terminus of Law Drive for Phase 1.

Conditions to be met prior to grading or site alteration

2. That the Developer shall complete a **tree inventory and conservation plan**, satisfactory to the Director of Planning and Development Services prior to any grading, tree removal or construction on the site. (Planning)
3. 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) to the satisfaction of the City Engineer until the release of the subdivision agreement on the block/lot so disturbed. (Engineering)
4. 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 costs related to the implementation of such a plan shall be borne by the Developer. Any damage or maintenance required to surrounding streets as a result of such traffic shall be at the Developers cost. (Engineering)
5. 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. (Engineering)
6. The Developer shall enter into an **Engineering Services Agreement** with the City, satisfactory to the City Solicitor, which includes all requirements, financial and otherwise, to the satisfaction of the City. (Engineering)
7. The Developer shall prepare an overall **site drainage and grading plan**, satisfactory to the City Engineer, for the entire subdivision. Such a plan will be used as the basis for a detailed lot grading plan to be submitted prior to the issuance of any building permit within the subdivision. (Engineering)
8. That the Developer constructs, installs and maintains **erosion and sediment control** facilities, satisfactory to the City Engineer, in accordance with a plan that has been submitted to and approved by the City Engineer. (Engineering)
9. That the Developer shall submit a **Storm Water Management Report** to the satisfaction of the City Engineer which shows how storm water will be controlled and conveyed to the receiving water body. The report and plan shall address the issue of water quantity

and quality in accordance with recognized best management practices and Provincial Guidelines. Maintenance and operational requirements for any control and/or conveyance facilities must be provided. (Engineering)

10. 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. Any **boreholes** drilled for hydrogeological or geotechnical investigations must also be properly abandoned. (Engineering)

Conditions to be met prior to execution of subdivision agreement

11. The Developer is responsible for the **cost of the design and construction** of all municipal services required to service the lands within and external to the limits of the plan of subdivision including roadworks, and sanitary, storm and water facilities unless otherwise funded under the provisions of the City's Development Charges Bylaw (2004)-17361, as amended, the Local service Bylaw (1994)-14553, as amended, or a legal and binding agreement with another party. In addition, the Developer will be required to pay the cost of the design, construction and removal of any works of a temporary nature including temporary cul-de-sacs, sewers, stormwater management facilities, watermain and emergency accesses. (Engineering)
12. That the Developer is responsible for the **cost of the design and construction** of Block 24 (Pedestrian Walkway) in conformance with City Standards. (Planning)
13. The Developer shall pay for the actual **cost of constructing and installing municipal services on Fleming Road** across the frontage of the Plan as determined by the City Engineer. (Engineering)
14. The Developer shall pay a share of the actual **cost of the existing downstream stormwater management facility** as determined by the City Engineer. (Engineering)
15. The Developer shall pay a share of the actual cost of all **existing municipal services** within and abutting the Plan as determined by the City Engineer. (Engineering)
16. The Developer shall pay the cost of supplying and erecting **street name and traffic control signs** in the subdivision, to the satisfaction of the City. (Engineering)
17. The Developer shall pay to the City the flat rate charge established by the City per metre of road frontage to be applied to **street tree planting** within the proposed subdivision. (Engineering)
18. The Developer shall pay to the City the cost of installing **bus stop pads and Canada Post mailbox pads** at locations to be determined by Guelph Transit and Canada Post. (Engineering)
19. The Developer shall have **engineering servicing drawings** and **final reports** prepared for the approval of the City Engineer. These drawings must reflect the recommendations of all approved reports and studies prepared in support of this application. Such recommendations will be implemented at the cost of the Developer. (Engineering)

20. The Developer shall submit a final **Geotechnical Report** to the satisfaction of the City Engineer which describes the potential impacts of groundwater and provides recommendations for pavement design and pipe bedding. (Engineering)
21. The Developer shall pay the cost related to the installation of 1 second order, second level **Geodetic Benchmark** in a location within the proposed subdivision to the satisfaction of the City Engineer. (Engineering)
22. 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. (Planning)
23. 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 of the first phase. The phasing plan shall indicate the sequence of development, the land areas in hectares, the number of lots and blocks in each phase, the proposed use of each block, the specific lots to be developed, site access to each phase, grading and the construction of public services, all to the satisfaction of the City of Guelph. Such phasing must be in conformance with the current Development Priorities Plan. (Planning)

Conditions to be met prior to registration of the plan

24. The Developer shall not proceed with the **Phase 2** works or registration until he can fully extend Law Drive to the existing terminus of Law Drive as established by Plan 61M-18 to the satisfaction of the City Engineer and the Director of Planning and Development Services.
25. 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**. (Engineering)
26. 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. (Legal)
27. The Developer shall submit a report prepared by a Professional Engineer to the satisfaction of the Chief Building Official certifying that all fill placed below proposed building locations has adequate **structural capacity** to support the proposed building. All fill placed within the allowable zoning bylaw 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. (Building)
28. 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. (Building)

29. The Developer shall enter 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. (Legal)
30. That all **easements, blocks and rights-of-way** required within or adjacent to the proposed subdivision be granted free and clear of encumbrance to the satisfaction of the City of Guelph, Guelph Hydro Electric Systems Inc. and other Guelph utilities. (Legal)
31. The Developer shall pay any **outstanding debts** owed to the City. (Planning)
32. The Developer shall 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. (Finance)
33. The Developer shall provide an **on-street parking plan** indicating where on-street parking is to be made available and where appropriate signage is required to the satisfaction of the City Engineer. (Engineering)
34. 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 (Planning):
 - “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 certified design by a Professional Engineer. Furthermore, all sump pumps must be discharged to the rear yard.”
 - “Purchasers and/or tenants of all lots or units are advised that if any fee has been paid by the purchaser to the Developers for the planting of trees on City boulevards in front of residential units does not obligate the City nor guarantee that a tree will be planted on the boulevard in front or on the side of a particular residential dwelling.”
 - “Purchasers and/or tenants of all lots or units are advised that a transit route may be installed on Law 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.”
 - “Purchasers and/or tenants of all lots or units located in the subdivision plan, are advised prior to the completion of home sales, of the time frame during which construction activities may occur, and the potential for residents to be inconvenienced by construction activities such as noise, dust, dirt, debris and construction traffic”.

- “Purchasers and/or tenants of lots or units are advised that the stub roads may be extended at some future date when the adjacent lands are developed”
 - “Purchasers and/or tenants of all lots are advised that the Park Block has been designed for active public use and will include a pedestrian walkway. Be advised that the City may carry out regular maintenance such as grass cutting. Other maintenance may occur from time to time”.
 - “Purchasers and/or tenants are advised that the boundaries of the Park Block 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 lot numbers 3 and 4, and/or black vinyl chain link fence adjacent to lot numbers 3 and 4. The developer shall also send written notification of proposed demarcation types to any existing homeowners in lots adjacent to the Park Block”.
35. 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. (Planning)
 36. 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 Electric Systems Inc. (Planning)
 37. The Developer shall **locate and construct all driveways** accessing municipal streets to the satisfaction of the City Engineer. (Engineering)
 38. Prior to registration of the Plan, the Developer shall be responsible for the cost of design and development of the **property demarcation** (living fence and/or chain link) of all lands conveyed to the City in accordance with the City Property Demarcation Policy. This shall include submitting drawings completed by an Ontario Association of Landscape Architect (OALA) full member for approval and to the satisfaction of the Director of Planning and Development Services. The Developer shall provide the City with financial security to cover an estimate approved by the City for the cost of the property demarcation works. (Planning)
 39. The Developer shall erect and maintain **signage** at all entrances to the Subdivision prior to the sale of any lots and prior to commencement of subdivision construction which provides notification of the proposed landuse, zoning, road pattern, lotting, phasing and location of postal facilities within the subdivision. The signs shall be resistant to weathering and vandalism. (Planning)
 40. That the developer shall **dedicate Block 24** for parks purposes (pedestrian walkway) in accordance with the provisions of City of Guelph By-law (1989)-13410, as amended by By-law (1990)-13545, or any successor thereof. (Legal and Planning)
 41. That the developer shall pay **cash-in-lieu of parkland** for the balance of parkland dedication owing, in accordance with the City of Guelph By-law (1989)-13420, as amended by By-law (1990)-13545, or any successor thereof. (Planning)
 42. That the developer shall be responsible for the cost of design and development of the **“Basic Park Development”** as per the City of Guelph Parks Department’s

“Specifications for Parkland Development”, which includes clearing, grubbing, topsoiling, grading and sodding for any phase containing a Park block to the satisfaction of the Director of Community Services. The developer shall provide the City with cash or a letter of credit to cover the City’s estimate for the cost of the “Basic Parkland” improvements and works for the Park Block to the satisfaction of the Director of Planning and Development Services (Planning)

43. That the developer agrees to provide Community Services with a digital file of the plan of subdivision in either AutoCad – DWG format or DXF Format containing the following information: parcel fabric, street network, and final approved grades/contours of the park, open space and storm blocks. (Planning)

Agency Conditions

44. The developer agrees to meet all requirements of **Guelph Hydro Electric Systems Inc.** including the relocation of existing hydro services and the installation of new hydro services and shall enter into any agreements required by Guelph Hydro Electric Systems Inc. in order to fully service the said lands with hydro facilities to the satisfaction of Guelph Hydro Electric Systems Inc., prior to the registration of the plan.

45. That the developer shall complete the following conditions to the satisfaction of the **Upper Grand District School Board:**

- a) ~~That adequate sidewalks, lighting and snow removal be provided in the proposed subdivision to allow children to walk safely to school. (Council deleted this clause at the June 19/06 Council Meeting)~~
- b) 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 of DXF format containing the following information: parcel fabric and street network.
- c) 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.

46. That the developer shall complete the following conditions to the satisfaction of the **Wellington Catholic District School Board:**

- a) That the developer and the Wellington Catholic District 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 school in the area be at capacity.
- b) ~~Where walkways and sidewalks are planned, that they be maintained on a year-round basis, and kept free of snow during winter months. Further, vegetative plantings in these locations be appropriately designed to provide a safe walking environment for students. (Council deleted this clause at the June 19/06 Council Meeting)~~

- c) Sidewalks are recommended along all streets in the subdivision to ensure a safe walking route for any future students to any school or bus pick-up/drop-off locations along existing and proposed public roads.
47. 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.
 48. Draft Plan Approval of the subdivision shall lapse at the expiration of **5 years** from the date of issuance of Draft Plan Approval.
 49. 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 30 and 44 have been satisfied.
 50. That prior to the registration of all, or any portion of, the plan, **Bell Canada** shall advise the City in writing, how Condition 35 has been satisfied.
 51. That prior to the registration of all, or any portion of, the plan, the **Upper Grand District School Board** shall advise the City in writing, how Conditions 45 has been satisfied.
 52. 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 46 has been satisfied.
 53. That prior to the registration of all, or any portion of, the plan, the **Canada Post** shall advise the City in writing, how Condition 47 has been satisfied.

AND THAT the proposed rezoning of the lands be approved and City Staff be instructed to prepare the necessary amendment to Zoning By-law Number (1994)-14864, as amended, to rezone the subject lands as follows:

LOTS OR BLOCKS	LAND USE	PROPOSED ZONING
Lots 1-12	Single detached residential	R.1C
Lots 13-23	Single detached residential	R.1B
Block 24	Pedestrian Walkway	P.3