

Council Chambers  
August 28<sup>th</sup>, 2006

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

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

Absent: Councillors Birtwistle, Burcher, Ferraro, Kovach, and Laidlaw.

Staff Present: Mr. L. Kotseff, Chief Administrative Officer; Mr. J. Riddell, Director of Planning & Development Services; Mr. S. Hannah, Manager of Development Planning; Ms. M. Castellan, Senior Development Planner; Ms. S. Smith, Associate Solicitor; Mr. D. Kudo, Infrastructure Planning Manager; Mrs. L.A. Giles, City Clerk/Manager of Council Administrative Services; and Ms. N. Marino, Assistant Council Committee Co-ordinator.

**DECLARATIONS UNDER MUNICIPAL CONFLICT OF INTEREST ACT**

Councillor Baily declared a possible pecuniary interest with regards to the proposed Official Plan and Zoning By-law Amendment for 1077 Gordon Street because the applicant is her real estate broker and holds her real estate licence, and did not speak or vote on the matter.

**PLANNING PUBLIC MEETING**

Mayor Quarrie announced that in accordance with The Planning Act, Council was now in a public meeting for the purpose of informing the public of various planning matters. The Mayor asked if there were any delegations in attendance with respect to planning matters listed on the agenda.

**REGULAR MEETING**

**1077 GORDON STREET – Proposed Official Plan and Zoning By-law Amendment (ZC0505/OP0513)**

A staff presentation was made by Scott Hannah, Manager of Development Planning. He provided information with regards to the subject property and the office complex development proposed for the site. He advised that application meets the criteria of the Official Plan and that the design of the office complex is in keeping with urban design guidelines. He further advised that staff are in full support of this application and recommend it for approval.

## DELEGATIONS

Astrid Clos was present on behalf of the applicant to answer questions.

Robb Atkinson was also present to answer questions.

Ms. A. Clos  
Mr. J. Riddell

1. Moved by Councillor Moziar  
Seconded by Councillor Billings  
THAT Report 06-70 regarding Official Plan and Zoning By-law Amendments for property municipally known as 1077 Gordon Street from Planning and Development Services dated August 28, 2006 be received;

AND THAT the application (OP0505/ZC0513) by Astrid J. Clos Planning Consultants for approval of an Official Plan Amendment to amend the front easterly portion of the property at 1077 Gordon Street, legally described as Con 7, Part Lot 4, Plan 61R9349, Part 7, City of Guelph, from the current "Medium Density Residential" Official Plan designation to the Mixed Office-Residential designation with addition of a site specific policy amendment to the Mixed Office-Residential designation be approved in the form outlined in Schedule 1 of Planning Report #06-70 dated August 28, 2006;

AND THAT the application (OP0505/ZC0513) by Astrid J. Clos Planning Consultants for approval of a Zoning By-law Amendment from the UR (Urban Reserve) Zone and WL (Wetland) Zone to a new specialized OR (Office-Residential) Zone and to the R.3A (Residential Cluster Townhouse) Zone affecting the property municipally known as 1077 Gordon Street and legally described as Con 7, Part Lot 4, Plan 61R9349, Part 7, City of Guelph, be approved in accordance with the permitted uses and conditions provided in Schedule 2 of Planning Report #06-70 dated August 28, 2006.

A recorded vote was requested, which resulted as follows:

VOTING IN FAVOUR: Councillors Billings, Furfaro, Hamtak, Moziar, Schnurr and Mayor Quarrie (6)

VOTING AGAINST: Councillor Downer (1)

The motion was carried.

### **66, 70 AND 72 YORK ROAD, 1 RICHARDSON STREET: Proposed Official Plan and Zoning By-law Amendment (OP0601/ ZC0518)**

A staff presentation was made by Melissa Castellan, Senior Development Planner. She provided information with respect to the subject property and addressed the key concerns of

neighbourhood residents including intensification and density, the loss of mature trees and green space, and water table alterations and floodplain concerns.

She advised that the proposed development meets Places to Grow criteria and that included in the conditions of the development is a landscape plan to include perimeter plantings. There will also be a storm water management plan with 2 years of monitoring after completion of construction.

She advised that the property is suitable for medium density development and that staff are in support of this application and recommend approval.

## **DELEGATIONS**

Brian Lauder was present to express his concern with respect to the proposed development on the property and indicated that he believes that it does not follow within the criteria of the Provincial Policy Statement. He emphasized his concerns with development within a floodplain and that alternative sites were not explored and he requested that Council give consideration to these concerns.

Marie Denham expressed concern that the proposed development will negatively affect an environmentally sensitive area located within a floodplain. She also expressed concerns that flooding may occur on adjacent properties as a result of storm water runoff and that the removal of mature trees will reduce the wildlife in the area. She requested that Council consider the implications of the development to the surrounding neighbourhood.

Lisa Schincariol was present to express concern with the method in which the tree study was performed on the site. She believes the study should have been done by a certified arborist. She suggested that testing of the soil should also have been done and she stated that she is concerned about the monitoring program and how well it will work once the condominium corporation is responsible for the townhouses.

Magee McGuire expressed concerns with the water drainage on the site. She suggested that the hydraulic monitoring of the site should be longer than 2 years to be effective and that an overflow route to the river should be required. She further suggested that by removing mature trees, stabilization of the soil will decrease and that absorption levels will also decrease as a result of raising the height of the ground level. She suggested to Council that a deferral may be necessary in order to learn more about mitigation of the water drainage issues.

Nancy Shoemaker was present on behalf of the applicant to provide further information with respect to the application and stated that she believes the application complies with the Official

Plan, Places to Grow criteria and the St. Patrick Ward Study. She also stated that the Grand River Conservation Authority have not identified any concerns with this project.

Chris Simms was present on behalf of Gamsby & Mannerow and provided information with respect to drainage and storm water management on the site.

Andrew Lambden, President of Terra View Homes provided information with respect to the proposed townhouse development on the site and indicated that the townhouses are a high quality design. He stated that the design was adapted to minimize height and there are extensive landscaping plans for the site. He stated that he is committed to working with the neighbourhood residents with respect to tree selection and overall input.

J.J. McMurtry expressed concern that the design of the proposed development does not consider the protection of community character and the integration into the existing neighbourhood. He also stated that he does not believe there was meaningful citizen involvement in the process. He expressed concerns with the effect the development will have on the natural environment, causing a decrease in wildlife and he requested that Council delay or deny the application.

Tim Allman expressed concern with density and urban design issues and indicated that he believes that the proposed development will be an intrusion on the existing neighbourhood and has potential to become student housing, generating a noise problem in the future. He believes the concerns of the neighbourhood residents have been dismissed and requested that Council refuse or defer this application.

Jim White expressed concerns with respect to the proposed development and the effect it will have on storm water overflow in the surrounding area.

Shoshana Berman commented on the assumption of an obligation for the property at 1 Richardson Street to provide drainage to other properties in the area. She agreed that any new development on the site would have an obligation to manage its storm water in such a way that it did not impact other properties.

Ben Bennett expressed concern with issues of drainage and pooling within the area and wanted to confirm that both legal and engineering staffs were in support of the application.

2. Moved by Councillor Schnurr

Seconded by Councillor Furfaro

THAT Report 06-74 regarding Official Plan and Zoning By-law Amendments for property known as 66, 70, and 72 York Road and

1 Richardson Street from Planning and Development Services dated August 28, 2006 be received;

AND THAT the application by Black, Shoemaker, Robinson and Donaldson on behalf of Terra View Homes for a site specific policy amendment to the “Medium Density Designation” of the Official Plan affecting properties municipally known as 66, 70 and 72 York Road and 1 Richardson and legally described as Lot 159 and Part of Lots 157, 160, Registered Plan 113, and Part Lot 10, Registered Plan 306, City of Guelph, be approved, in the form outlined in Schedule 3 of the Planning Report 06-74 dated August 28, 2006;

AND THAT the application by Black, Shoemaker, Robinson and Donaldson on behalf of Terra View Homes for a Zoning By-law Amendment from the R.3A-2 (Residential Cluster Townhouse) Zone to a new Specialized R.3A (Residential Cluster Townhouse) Zone and to the R.1B (Residential Single Detached) Zone, the R.1D (Residential Single Detached) Zone and the R.2 (Residential Semi-detached) Zone affecting properties known as 66, 70 and 72 York Road and 1 Richardson Street and legally described as Lot 159 and Part of Lots 157, 160, Registered Plan 113, and Part of Lot 10, Registered Plan 306, City of Guelph, be approved, in accordance with the regulations and conditions set out in Schedule 4 of the Planning Report 06-74 dated August 28, 2006;

AND THAT the request by Terra View Homes to demolish the detached dwelling located on the property known as 72 York Road be approved;

AND THAT the number of years of the hydraulic performance monitoring program in Condition 28 of Schedule 4 be changed from 2 years to 4 years.

3. Moved by Councillor Downer  
Seconded by Councillor Moziar

Ms. N. Shoemaker  
Mr. J. Riddell

THAT the application by Black, Shoemaker, Robinson and Donaldson on behalf of Terra View Homes for a proposed Official Plan and Zoning By-law Amendment for 66, 70 and 72 York Road and 1 Richardson Street be referred back to staff to engage a mediator and report back at the October 10<sup>th</sup>, 2006 Guelph City Council meeting.

The motion to defer took precedence. A recorded vote was requested, which resulted as follows:

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

VOTING AGAINST: Councillor Schnurr (1)

The motion was carried.

**MAYOR'S ANNOUNCEMENTS**

The Mayor announced that a special meeting of the Planning, Environment & Transportation Committee with respect to a status report regarding the organics facility will be held on Thursday, August 31<sup>st</sup>, 2006 at 1:00 p.m. in Council Chambers.

**ADJOURNMENT**

The meeting adjourned at 9:55 o'clock p.m.

Minutes read and confirmed September 18, 2006.

.....  
Mayor

.....  
Clerk

## **Proposed Official Plan Amendment**

Amend Schedule 1, Land Use Plan of the Official Plan by changing the land use designation on the front easterly 0.43 hectare portion of the property municipally known as 1077 Gordon Street, legally described as Con 7, Part Lot 4, Plan 61R9349, Part 7, City of Guelph, from the current "Medium Density Residential" to "Mixed Office-Residential".

Amend the Official Plan text by the addition of a new site specific sub-policy. Amend Official Plan Policy 7.6.9, Mixed Office-Residential Land Use Designation, by adding the following clause:

7.6.9           Notwithstanding Policy 7.6.1, office or professional uses to a maximum size of 1900 square metres gross floor area shall be permitted on property known municipally as 1077 Gordon Street.

## REGULATIONS AND CONDITIONS

The property affected by this zoning amendment is municipally known as 1077 Gordon Street. The following zoning is proposed:

### **Specialized Office-Residential (OR-?) Zone** (easterly 4344 m<sup>2</sup> portion of property)

#### **Permitted Uses**

- Accessory Apartment in accordance with Section 4.15.1
- Artisan Studio
- Bed and Breakfast establishment in accordance with Section 4.27
- Day Care Centre in accordance with Section 4.26
- Accessory Uses in accordance with Section 4.23
- Dwelling Units with permitted commercial Uses in the same Building in accordance with Section 4.15.2
- Duplex Dwelling
- Group Home in accordance with Section 4.25
- Home for the Aged or rest home developed in accordance with R.4D Zone Regulations
- Home Occupations in accordance with Section 4.19
- Occasional Uses in accordance with Section 4.21
- Lodging House in accordance with Section 4.25
- Medical Office
- Office
- Personal Service Establishment
- School
- Semi-Detached Dwelling
- Single Detached Dwelling
- Tourist Home



## **Regulations**

In accordance with Section 6.5.2 of Zoning By-law (1995) – 14864, as amended, with the following exception:

### **Maximum Floor Area for Office Use**

1900 m<sup>2</sup>

**Cluster Townhouse (R.3A) Zone**  
(westerly 7976 m<sup>2</sup> portion of property)

## **Permitted Uses**

In accordance with Section 5.3.1.1 of Zoning By-law (1995) – 14864, as amended.

## **Regulations**

In accordance with Section 5.3.2 of Zoning By-law (1995) – 14864, as amended.

### **Conditions of Site Plan Approval**

1. That prior to any grading or servicing of the lands, the Owner shall enter into a Site Plan Control Agreement registered on title and satisfactory to the City Solicitor. Such agreement shall include, but not be limited to, provisions regarding parking, grading, servicing, access, implementation of stormwater management and payment of frontage charges for existing services. The following conditions must be addressed or included in the Site Plan Agreement:
  - a. The Owner shall submit to the City, in accordance with Section 41 of The Planning Act, a fully detailed site plan, indicating the location of buildings, landscaping, parking, circulation, access, lighting, grading and drainage and servicing on the said lands to the satisfaction of the Director of Planning and Development Services, prior to the issuance of a building permit, and furthermore the Owner agrees to develop the said lands in accordance with the approved plan.
  - b. The owner shall pay to the City the owner's share of the actual cost, as determined by the City Engineer, of constructing the existing stormwater management facility to the rear of the lands which is known as Harts Stormwater Management Pond.
  - c. The owner shall pay to the City the owner's share of the actual cost of constructing the existing municipal services on Gordon Street across the frontage of the lands including roadworks, sanitary sewer, storm sewer, watermain, curb and gutter, catchbasins, sidewalks and street lighting as determined by the City Engineer.
  - d. The owner shall pay to the City the owner's share of the actual cost of constructing the existing Gordon Street sewage pumping station and forcemain as determined by the City Engineer.

- e. That the owner pays to the City, as determined applicable by the City's Director of Finance, development charges and education development charges, in accordance with City of Guelph Development Charges By-law (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 thereof, prior to issuance of a building permit, at the rate in effect at the time of issuance of the building permit.
- f. The Owner shall pay to the City cash-in-lieu of parkland dedication in accordance with By-law (1989)-13410, as amended from time to time, or any successor thereof, prior to the issuance of a building permit, at the rate in effect at the time of the issuance of a building permit.
- g. The owner shall have a Professional Engineer design a grading plan and storm water management system for the site, satisfactory to the City Engineer.
- h. That the owner grades, develops and maintains the site including the storm water management facilities designed by a Professional Engineer, in accordance with a Site Plan that has been submitted to and approved by the City Engineer. Furthermore, the owner shall have the Professional Engineer who designed the storm water management system certify to the City that he/she supervised the construction of the storm water management system and that the storm water management system was built as it was approved by the City and that it is functioning properly.
- i. The owner shall pay the actual cost of constructing and installing any service laterals required and furthermore, prior to issuance of a building permit, the owner shall pay to the City the estimate cost of the service laterals, as determined by the City Engineer.
- j. That the property be developed with one full driveway access to Gordon Street in a location that provides separation distance from the nearest other driveway that is satisfactory to the City Engineer. Should the owner propose an additional access to Gordon Street, a right in/right out or temporary emergency access may be considered.

### **Proposed Official Plan Amendment**

Amend the Official Plan text by the addition of a new site specific sub-policy. Amend Official Plan Policy 7.2.36, Medium Density Residential Land Use Designation, by adding the following clause:

- 7.2.36 a) Within the Medium Density Residential designation at the northeast side of the intersection of York Road and Wyndham Street South, detached and semi-detached housing forms are permitted with frontage onto York Road, Wyndham Street South and Richardson Street South provided that the overall density of development within the Medium Density Residential designation in this location complies with Section 7.2.28.

## Proposed Zoning By-law Amendment Regulations and Conditions

The property affected by this Zoning By-law Amendment is municipally known as 66, 70 and 72 York Road and 1 Richardson Street and legally described as Lot 159 and Part of Lots 157, 160, Registered Plan 113, and Part of Lot 10, Registered Plan 306, City of Guelph.

The following zoning is proposed:

Specialized R.3A (Residential Cluster Townhouse) Zone  
R.1B (Residential Single Detached) Zone  
R.1D (Residential Single Detached) Zone  
R.2 (Residential Semi-detached) Zone

### Regulations

#### For the Specialized R.3A Zone

##### Permitted Uses

In accordance with the provisions of Section 5.3.1.1 of Zoning By-law (1995) – 14864, as amended.

##### Regulations

In accordance with Section 5.3.2 of Zoning By-law (1995) – 14864, as amended, with the following exceptions:

Despite the definition of Townhouse in Section 3 (58) (i), this development may contain a **Building** that is divided vertically into a minimum of 2 separate **Dwelling Units**.

##### Minimum **Front Yard**

12 metres.

##### Minimum **Side Yard**

The Minimum **Side Yard** shall be 3 metres for the west **Side Yard**, 8 metres for the east **Side Yard** and 6 metres for the south **Side Yard**.

Despite Section 5.3.2.2.2, windows to **Habitable Rooms** shall be permitted to face onto the west and south side yards.

##### Minimum **Rear Yard**

4.5 metres

Despite Section 5.3.2.2.2, windows to **Habitable Rooms** shall be permitted to face onto the rear yard.

Minimum **Lot Area** per **Dwelling Unit**

The Minimum **Lot Area** per **Dwelling Unit** shall be 250 square metres.

Minimum Distance between **Buildings**

Despite Section 5.3.2.3.1, the minimum distance between one **Building** and the face of another **Building**, each of which contain windows to Habitable Rooms, shall be 3 metres.

Access to Private Amenity Area

Despite Section 5.3.2.5.1, access to the **Private Amenity Area** may be provided by exterior stairs.

Maximum Density of Site

Despite Section 5.3.2.6.1, the maximum density of the **Cluster Townhouse** development shall be 40 dwellings per hectare.

Off-Street Parking

Despite Section 4.13.2.2, **Parking Spaces** located in the **Side** or **Rear Yard** may be located within 1.5 metres of the **Lot Line**.

**For the R.1B Zone**

Permitted Uses

In accordance with the provisions of Section 5.1.1 of Zoning By-law (1995) – 14864, as amended.

Regulations

In accordance with Section 5.1.2 of Zoning By-law (1995) – 14864, as amended.

**For the R.1D Zone**

Permitted Uses

In accordance with the provisions of Section 5.1.1 of Zoning By-law (1995) – 14864, as amended.

Regulations

In accordance with Section 5.1.2 of Zoning By-law (1995) – 14864, as amended.

**For the R.2 Zone**

Permitted Uses

In accordance with the provisions of Section 5.2.1 of Zoning By-law (1995) – 14864, as amended.

## Regulations

In accordance with Section 5.2.2 of Zoning By-law (1995) – 14864, as amended.

## **Conditions**

The following conditions will be imposed through Site Plan Approval or as conditions of consent:

1. The Owner shall submit to the City, in accordance with Section 41 of The Planning Act, a fully detailed site plan, indicating the location of buildings, landscaping, parking, circulation, access, lighting, grading and drainage and servicing on the said lands to the satisfaction of the Director of Planning and Development Services and the City Engineer, prior to the issuance of a building permit, and furthermore the Owner agrees to develop the said lands in accordance with the approved plan.
  - a. Further, the Owner commits and agrees that the details of the layout, elevations and design for development of the subject lands shall be generally in accordance with and conform to the Owner's concept plans attached to the August 28, 2006 Planning Staff Report (Site Plan, prepared by BSRD Project 04-5891-5, Landscape Plan, prepared by Landplan, Project #05-0028) and the owner shall address all of the elements of good urban design as outlined by the City of Guelph Urban Design Guidelines 1995 Manual, to the satisfaction of the Director of Planning and Development Services and the City Engineer.
  - b. The owner acknowledges and agrees that a wood privacy fence with a minimum height of 1.8 metres will be constructed along the rear and side yard.
2. That the consent applications B-11/0, B-12/04, B-13/04, B-14/04 and B-15/04 receive Committee of Adjustment approval and that the registration of the deeds occurs in a proper sequence to ensure amalgamation of the parcels to the satisfaction of the City Solicitor prior to the issuance of any building permits.
3. That prior to site plan approval or the endorsonation of the deeds, the owner grants to the City a 5.0-metre wide easement across the lands, centred on the existing 450mm diameter storm sewer, satisfactory to the City Solicitor.
4. That prior to any demolition, grading or construction on the lands the owner shall retain a Professional Engineer to inspect and report on the condition of the 450mm storm sewer through the site and down to its outlet, satisfactory to the City Engineer.
5. That prior to any demolition, grading or construction on the lands, the owner shall have a Professional Engineer prepare a report, satisfactory to the City Engineer, outlining the methods to be used during demolition, grading and construction on the lands, to protect from damage and monitor the existing 450mm diameter

storm sewer which crosses the lands. Furthermore, the owners shall ensure that the methods outlined in the report are put into place and that the owners shall be responsible to pay for any damage to the existing storm sewer.

6. Prior to the submission of any site plan showing a connection to the 750mm trunk sanitary sewer in the park, the owner shall pay the City's cost of having a geotechnical investigation report done of the soils along the sanitary service lateral route. Furthermore, the owners shall acknowledge and agree that a connection through the park to the 750mm trunk sanitary sewer will only be permitted if landfill materials and gases are not going to be encountered during the construction of the sanitary sewer lateral.
7. That the owners shall acknowledge and agree that a connection through the park to the 750mm trunk sanitary sewer will only be permitted by City during certain times of the year when construction will not disrupt the use of the park.
8. Prior to site plan approval for the lands, the owner shall have a Professional Engineer design a grading plan and storm water management system for the said lands incorporating a control flow weir and a connection to the existing 450mm storm sewer, satisfactory to the City Engineer.
9. That the owner grades, develops and maintains the site including the storm water management facilities designed by a Professional Engineer, in accordance with a Site Plan that has been submitted to and approved by the City Engineer. Furthermore, the owner shall have the Professional Engineer who designed the storm water management system certify to the City that he/she supervised the construction of the storm water management system, and that the storm water management system was approved by the City and that it is functioning properly.
10. That the owner constructs, installs and maintains erosion and sediment control facilities, satisfactory to the City Engineer, prior to any grading or construction on the lands in accordance with a plan that has been submitted to and approved by the City Engineer. Furthermore, the owner 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 erosion and sediment control plan 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.
11. The owner shall pay the actual cost of constructing any service laterals required to service the lands, prior to issuance of any building permit.
12. The owner shall pay the actual cost of constructing any works including backflow preventors on the 450mm storm sewer serving the lands, prior to the issuance of any building permit.
13. That the owner enters into a Storm Sewer Agreement as established by the City, providing for a grading and drainage plan that is registered on the title of the single detached and semi detached lands, prior to the endorstation of the deeds.

14. That the owner constructs all the buildings at such an elevation that the lowest habitable level of the buildings can be serviced with a gravity sewer connection to the sanitary sewer.
15. That the owner shall confirm that any fill placed to raise the elevation of the lands shall have similar drainage characteristics to the native soil on the lands. Gradation testing or other acceptable testing procedures will be required to confirm the acceptability of the fill material to the satisfaction of the City Engineer.
16. That the owner pays to the City, as determined applicable by the City's Director of Finance, development charges and education development charges, in accordance with City of Guelph Development Charges By-law (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 thereof, prior to issuance of a building permit, at the rate in effect at the time of issuance of the building permit.
17. That the owner pays to the City, the watermain frontage charge of \$8.00 per foot for 21.98-metres (72.12 feet) of frontage on Wyndham Street, prior to site plan approval or the endorstation of the deeds.
18. That the owner shall pay to the City, the watermain frontage charge of \$8.00 per foot for 15.85-metres (52.0 feet) of frontage on York Road, prior to site plan approval or the endorstation of the deeds.
19. That the owner pays the tree frontage charge of \$8.00 per metre of frontage for the entire frontage on Wyndham Street and York Road, prior to site plan approval or the endorstation of the deeds.
20. That the owner shall be responsible to pay for all required curb cuts and fills, prior to the issuance of any building permit.
21. That the owner prepares a tree conservation plan identify trees to be retained and removed, to the satisfaction of the Director of Planning and Building Services, prior to site plan approval or the endorstation of the deeds.
22. That the owner applies for, and receives, a permit from the Grand River Conservation Authority, prior to the issuance of any building permit.
23. That the owner deeds to the City free of all encumbrances and satisfactory to the City Solicitor, a parcel of land 3.0-metres wide for a road widening across the entire Wyndham Street frontage of the lands, prior to site plan approval or the endorstation of the deeds.
24. That a legal off-street parking space, including any easements for right-of-way that are required for access, be created, satisfactory to the Director of Planning and Development Services for 70 York Road, prior to the endorstation of the deeds.



25. That the applicant shall pay to the City cash-in-lieu of park land dedication in accordance with By-law (1989)-13410, as amended from time to time, or any successor thereof, prior to site plan approval or prior to the endorstation of the deeds, at the rate in effect at the time of the endorstation.
26. That the proposed severed parcel of land be conveyed to the abutting owner as a lot addition only (Form 3 Certificate).
27. Prior to the site plan approval or endorstation of the deeds, the owner shall pay to the City, the City's total cost of reproduction and distribution of the Guelph Residents' Environmental Handbook, to all future homeowners or households within the project, with such payment based on a cost of one handbook per residential dwelling unit, as determined by the City.
28. That the Developer/Owner shall, as part of Site Plan Approval, prepare and implement a monitoring program to evaluate the hydraulic performance of the stormwater management system and groundwater elevations within the site for comparison with the baseline information collected as part of the Zone Change Approval. The monitoring program will commence with the completion of area grading of the site and will extend for a period of 2 years beyond the build out of the townhouse units. An annual monitoring report will be prepared and submitted to the City Engineer and the Grand River Conservation Authority.
29. That the owner enters into a site plan control agreement with the City, registered on title, satisfactory to the City Solicitor, agreeing to satisfy the above-noted conditions and to develop the site in accordance with the approved plans and reports.