

Council Committee Room B
September 17, 2007 5:30 p.m.

A meeting of Guelph City Council.

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

Staff Present: Mr. H. Loewig, Interim Chief Administrative Officer; 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; Mr. M. McCrae, Manager of Corporate Property Services; Ms. T. Sinclair, Assistant City Solicitor; Mrs. L.A. Giles, City Clerk/Manager of Council Administrative Services; and Ms. J. Sweeney, Council Committee Co-ordinator

1. Moved by Councillor Kovach
Seconded by Councillor Burcher

THAT the Council of the City of Guelph now hold a meeting that is closed to the public, pursuant to Section 239 (2) (a), (b) and (e) of the Municipal Act, with respect to:

- security of the property of the city;
- personal matters about identifiable individuals;
- litigation or potential litigation.

Carried

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

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Mayor

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Clerk

Council Committee Room B
September 17, 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, Farrelly, Findlay, Hofland, Kovach, Laidlaw, Piper, Salisbury and Wettstein

Staff Present: Mr. H. Loewig, Interim Chief Administrative Officer; Mr. M. Amorosi, Director of Human Resources; 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; Mr. M. McCrae, Manager of Corporate Property Services; Ms. T. Sinclair, Assistant City Solicitor; 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.

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| Mr. J. Riddell
Ms. L.E. Payne | 1. Moved by Councillor Burcher
Seconded by Councillor Laidlaw
THAT staff be given direction with respect to a potential litigation matter. | Carried |
| Ms. L.E. Payne | 2. Moved by Councillor Kovach
Seconded by Councillor Farrelly
THAT the report of the Director of Corporate Services/City Solicitor be received. | Carried |
| Ms. L.E. Payne | 3. Moved by Councillor Wettstein
Seconded by Councillor Bell
THAT the report of the Manager of Corporate Property Services with respect to the Civic Administration Centre complex dated September 5, 2007, be received for information. | Carried |
| Ms. L.E. Payne
Mr. G.W. Stahlmann
Mr. B. Stewart | 4. Moved by Councillor Wettstein
Seconded by Councillor Bell
THAT staff be given direction with respect to a potential litigation matter. | Carried |

PASSED IN COUNCIL
BY SPECIAL
RESOLUTION

5. Moved by Councillor Burcher
Seconded by Councillor Piper
THAT Tim Adlington be appointed to the Organic Processing
Technology Review Public Steering Committee for the duration of
the mandate of the committee.

Carried

REPORT

6. Moved by Councillor Kovach
Seconded by Councillor Piper
THAT Christopher Moes, Todd Dennis, Scott Butler, Jean
McKenzie Leiper and Rolf Pedersen be appointed to the
Accountability and Transparency Committee for the duration of
the mandate of the committee.

Carried

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

The Interim Chief Administrative Officer and the Director of
Human Resources provided an update with respect to the
recruitment of a senior position.

7. Moved by Councillor Billings
Seconded by Councillor Wettstein
THAT the appointment of Tim Adlington to the Organic
Processing Technology Review Public Steering Committee be
confirmed in open Council this evening.

Carried

The meeting adjourned at 6:35 o'clock p.m.

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Mayor

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Clerk

Council Chambers
September 17, 2007

Council reconvened in formal session at 7:00 p.m.

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

Staff Present: Staff Present: Mr. H. Loewig, Interim Chief Administrative Officer; Mr. M. Amorosi, Director of Human Resources; Chief S. Armstrong, Director of Emergency Services; 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 and Development Services; Mr. P. Cartwright, Manager of Economic Development and Tourism; Mr. B. Stewart, Acting Director of Finance; Ms. B. Brombal, Co-ordinator, Service Performance & Development; Mr. G. Ferguson, Technical Services Supervisor; Mr. D. Hoskers, Deputy Fire Chief Operations; Mr. R. Mackay, Manager of Recreation and Culture; Mr. L. Quan, Deputy Fire Chief Administration; Ms. P. Tollett, Financial Consultant Community Services & Emergency Services; Mr. M. Cameron, Manager Parklands & Greenways; 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

Councillor Bell declared possible pecuniary interest with regards to the intended designation of 74 Arthur Street North because he owns property in the near vicinity and on the Eramosa Bridge closure as he lives on the proposed detour route and did not discuss or vote on the matters.

1. Moved by Councillor Beard
Seconded by Councillor Piper

That sections 16. (4)(i), 16(4)(ii), and 16(5) of Procedural By-law Number (1996)-15200, as amended, regarding the recording of votes for all motions other than procedural, be suspended for this meeting of Council.

Carried

2. Moved by Councillor Bell
Seconded by Councillor Wettstein

THAT the minutes of the Council meetings held on August 13, 14, September 4 and 10, 2007 and the minutes of the Council meeting held in Committee of the Whole on August 13, 14 and September 4, 2007 be confirmed as recorded and without being read.

Carried

PRESENTATIONS

The Mayor presented City of Guelph medals to the following members of the Guelph Regals Bantam 1 Team in recognition of winning the Provincial finals, capping an unbeaten streak of eleven games: Carson Walsh, Tim Redwood, Zach Wilson, Mike McMullin, Jake Watson, Levi Radbourne, Lewis White, Dan DiPaolo, Mike Iacocca, Spencer Fraser-Steinbach, Cody LeBlanc, Chris Cremasco, Simon Balthazard, Miles Cox, Taylor Smith, Jacob Richardson; Bruce Redwood, Coach; Craig Richardson, Assistant Coach; Joanne McMullin, Trainer; Sandi Turner, Manager; and Nick DiPaolo, Assistant Coach.

REGULAR MEETING

3. Moved by Councillor Burcher
Seconded by Councillor Billings

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

Carried

Councillor Burcher presented the ELEVENTH REPORT of the Community Development and Environmental Services Committee

Notice of Intention to Designate 74 Arthur Street North, Pursuant to the Ontario Heritage Act

3. Moved by Councillor Burcher
Seconded by Councillor Piper

THAT the City Clerk be authorized to publish and serve Notice of Intention to Designate 74 Arthur Street North, commonly known as Mavis Bank, in accordance with the Ontario Heritage Act and as recommended by Heritage Guelph;

AND THAT the designation by-law be brought before City Council for approval if no objections are received within the thirty (30) day objection period.

Councillor Bell did not participate in the discussion or vote on the matter due to his declared possible pecuniary interest.

Carried

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

Sign By-law Variances for Family Dental Centre at 1482 Gordon Street

Mr. J. Riddell
Mr. B. Poole

4. Moved by Councillor Burcher
Seconded by Councillor Piper

THAT the request for a variance from the Sign By-law for 1482 Gordon Street, to permit a freestanding sign to be situated 21 metres (68.8') from a freestanding sign on a neighbouring property in lieu of the required 30 metres (98.4') for Family Dental Centre, be approved.

Carried

Sign By-law Variances for Boston Pizza at 35 Woodlawn Road West

Mr. J. Riddell
Mr. B. Poole

5. Moved by Councillor Burcher
Seconded by Councillor Piper

THAT the request for a variance from the Sign By-law for 35 Woodlawn Road West, to permit a freestanding sign to be situated 10 metres (32.8') from a freestanding sign on a neighbouring property in lieu of the required 30 metres (98.4') for Boston Pizza, be approved.

Carried

595 Victoria Road North (former Ingram Property)

Mr. G.W. Stahlmann
Mr. J. Riddell
Mr. B. Stewart

6. Moved by Councillor Burcher
Seconded by Councillor Piper

THAT staff be directed to prepare an Expression of Interest for the reuse/redevelopment of the Ingram Farm House consistent with the parameters outlined in the report dated September 7, 2007 and that Staff report back with respect to the results of this process by late 2007;

AND THAT staff be directed to initiate a joint public consultation process for the development of a master plan for 595 Victoria Road formerly known as the Ingram Farmhouse and surrounding parkland;

AND THAT staff request Heritage Guelph to prepare the necessary information required for Council to consider designation pursuant to the Heritage Act;

AND THAT staff bring back a complete report which includes a draft master plan for the former Ingram Farmhouse, the immediately surrounding parkland and budget estimates for Council's consideration by the end of 2007 following the completion of the Expression of Interest results.

Carried

Trail – Wastewater Treatment Plant/Hanlon Expressway

Mr. J. Riddell
Mr. B. Stewart

7. Moved by Councillor Burcher
Seconded by Councillor Piper
THAT the Community Design and Development Services Report 07-81 dated September 7, 2007 regarding the funding of a trail in the vicinity of the Wastewater Treatment Plant be received;

AND THAT funding for the development of a trail in the vicinity of the Wastewater Treatment Plan be supported as set out in the Community Design and Development Services Report 07-81 dated September 7, 2007.

Carried

Proposed Rehabilitation of the Eramosa Road Bridge

Mr. J. Riddell
Mr. R. Henry

8. Moved by Councillor Burcher
Seconded by Councillor Piper
THAT Eramosa Road be closed at the Eramosa Road bridge location in 2008 for the rehabilitation of the bridge structure as per Option 1 of the staff report dated September 11, 2007 and that staff report back on the available construction options.

AND THAT staff assess the option of restructuring the pedestrian access of the walking trail in conjunction with this construction project and report back.

Councillor Bell did not participate in the discussion or vote on the matter due to his declared possible pecuniary interest.

Carried

Municipal Leaders for the Greenbelt

9. Moved by Councillor Burcher
Seconded by Councillor Piper
THAT the Mayor write to the Province and request that portions of the City of Guelph be included in the Greenbelt to better protect the Galt-Paris Moraine.

10. Moved in Amendment by Councillor Hofland
Seconded by Councillor Burcher
THAT the following be added “and the County of Wellington”.

Lost

11. Moved in Amendment by Councillor Wettstein
Seconded by Councillor Laidlaw

THAT the County of Wellington be encouraged to be included in the Greenbelt.

Carried

12. Moved by Councillor Burcher
Seconded by Councillor Piper

Mayor Farbridge

THAT the Mayor write to the Province and request that portions of the City of Guelph be included in the Greenbelt to better protect the Galt-Paris Moraine;

AND THAT the Mayor write to the County of Wellington to encourage them to request to be included in the Greenbelt;

AND THAT copies of the correspondence be forwarded to Liz Sandals, MPP and Ted Arnott, MPP.

Carried

Organics Processing Technology Review Public Steering Committee

13. Moved by Councillor Burcher
Seconded by Councillor Billings

Counc. Bell
Dr. J.L. Laird

THAT Councillor Bell be appointed to the Organics Processing Technology Review Public Steering Committee.

Carried

Wastewater Treatment Master Plan Public Advisory Committee

14. Moved by Councilor Kovach
Seconded by Councillor Billings

Counc. Bell
Dr. J.L. Laird

THAT Councillor Bell be appointed to the Wastewater Treatment Master Plan Public Advisory Committee.

Carried

Councillor Laidlaw presented the EIGHTH REPORT of the Emergency Services, Community Services and Operations Committee

40 Minute Service Interval Changes

Mr. G.W. Stahlmann
Mr. R. French
Mr. B. Stewart

15. Moved by Councillor Laidlaw
Seconded by Councillor Hofland
THAT staff prepare a 2008 budget expansion package for the consideration of moving towards a 20 minute transit service considering two scenarios, i): full 20 minute service and ii) during seasonal peak period service.

Carried

Late Night Taxi Stands

Mr. D. McCaughan
Mr. B. Chapman
Chief R. Davis

16. Moved by Councillor Laidlaw
Seconded by Councillor Hofland
THAT the City of Guelph Traffic By-law be amended to create three taxicab stands in the downtown for use between the hours of 1:00 a.m. to 4:00 a.m. daily;

AND THAT staff report back in six months on the effect of these taxicab stands.

Carried

Free Parking for Veterans

Mr. D. McCaughan
Mr. B. Chapman

17. Moved by Councillor Laidlaw
Seconded by Councillor Hofland
THAT free parking be provided to Veterans who are 65 years of age or older, at all municipal parking facilities when they display an authorized City of Guelph Veterans' Parking Permit.

Carried

“RZone Policy” for Facilities, Parks & Properties

Mr. G.W. Stahlmann

18. Moved by Councillor Laidlaw
Seconded by Councillor Hofland
THAT the Rzone policy for facilities, parks and properties dated September 12, 2007 be approved and implemented.

Carried

Accessibility Advisory Committee Report

Ms. L.E. Payne
Mr. M. McCrae
Mr. B. Stewart

19. Moved by Councillor Laidlaw
Seconded by Councillor Hofland
THAT the request for financial assistance from the Accessibility Advisory Committee be referred to the 2008 budget deliberations.

Carried

Parks Maintenance – Service Review

Beth Brombal and Murray Cameron provided information with respect to the parks maintenance service review.

Mr. D. McCaughan
Mr. B. Stewart

20. Moved by Councillor Laidlaw
Seconded by Councillor Hofland

THAT during preparation of the 2008 Operating Budget, Operations Department Expansion Packages for park maintenance give priority to activities associated with:

- Passive parklands
- Facilities & amenities
- Infrastructure

as outlined in the Emergency Services, Community Services and Operations Committee report of September 12, 2007 Parks Maintenance – Service Review;

AND THAT parks maintenance as outlined in this report be brought forward in the Service Review Process.

Carried

Commission Agreements with Guelph Storm Ltd. for the Licensing of Suites, Club Seats and VIP Seats at the Sleeman Centre

Mr. G.W. Stahlmann

21. Moved by Councillor Laidlaw
Seconded by Councillor Hofland

THAT Guelph City Council approve, and the Mayor and Clerk be authorized to sign, commission agreements with Guelph Storm Ltd. respecting the licensing of Suites, Clubs and VIP seats at the Sleeman Centre as set out in the report of the Manager of the Sleeman Centre dated September 12, 2007.

Carried

South End-Wyndham St. Emergency Services Facilities

Chief S. Armstrong
Chief R. Davis

22. Moved by Councillor Laidlaw
Seconded by Councillor Hofland

THAT the attached business case for the Emergency Services Facilities requirements be received;

AND THAT Option #3, proposing the downtown fire station remain as headquarters and the shared south end emergency services facility including a fire station, a shared police facility and ambulance base in the south end be approved.

A recorded vote was requested, which resulted as follows:

VOTING IN FAVOUR: Councillors Beard, Bell, Billings, Burcher, Farrelly, Findlay, Hofland, Kovach, Laidlaw, Piper, Salisbury, Wettstein and Mayor Farbridge (13)

VOTING AGAINST: (0)

The motion was carried.

Councillor Wettstein presented the SEVENTH REPORT of the Finance, Administration & Corporate Services Committee

2006 Consolidated Financial Statements

23. Moved by Councillor Wettstein
Seconded by Councillor Findlay
Mr. B. Stewart THAT the 2006 Consolidated Financial Statements for the city of Guelph, as audited by Deloitte & Touche LLP, be received.

Carried

Recreation User Fees and Pricing Policy

Peggy Tollett highlighted the reports with respect to recreation user fees and pricing policy and the report transit fare policy.

24. Moved by Councillor Wettstein
Seconded by Councillor Findlay
Mr. G.W. Stahlmann
Mr. B. Stewart THAT Council approve the attached Recreation User Fee & Pricing Policy to be applied in the 2008 budget process. The user fee policy is subject to review every three years or as necessary, based on the operating needs of the Recreation Division;

AND THAT the overall guideline for municipal contribution to fund the Recreation Division for the 2008 budget process be set at 42% subsidy of the total cost of the recreation division from the tax base;

AND THAT staff be directed to complete a comprehensive review of all use rates and fees at a later date.

Carried

Transit Fare Policy

25. Moved by Councillor Wettstein
Seconded by Councillor Findlay
Mr. G.W. Stahlmann
Mr. B. Stewart THAT Council approve the attached Transit Fare Policy;

Mr. R. French

AND THAT the overall guideline for municipal contribution to fund public transit for the 2008 budget process be set at 55% subsidy of the total cost of the recreation division from the of the tax base

AND THAT staff be directed to complete a comprehensive review of all user rates and fees at a later date.

Carried

Reserve for the Sleeman Centre Naming Rights and Sponsorship Agreements

26. Moved by Councillor Wettstein
Seconded by Councillor Findlay

Mr. B. Stewart
Mr. G.W. Stahlmann

THAT staff be directed to set up a Reserve called the “Sleeman Centre Naming Rights Capital Reserve” and the Rights Fee received under the Naming Rights and Sponsorship agreements will be deposited to this reserve fund.

AND THAT the funds be used for future capital projects and improvements to the Sleeman Centre.

Carried

Councillor Kovach presented the SEVENTH REPORT of the Governance & Economic Development Committee

Resolutions of Council and Committee – Downtown Guelph

27. Moved by Councillor Kovach
Seconded by Councillor Piper

Mr. J. Riddell
Mr. P. Cartwright

THAT the Council directions highlighted in Attachment 1 of the Manager of Economic Development and Tourism’s report of September 13, 2007 be coordinated within the context of the Downtown Guelph Community Improvement Planning process to the extent that timing and priority of each direction allow.

Carried

Councillor Kovach advised that the Governance & Economic Development Committee is looking at the issue of Council appointments overall, but recommended that the two outstanding Council representative appointments be considered tonight.

Guelph Downtown Coordination Committee

Counc. Findlay
Mr. J. Riddell
Mr. P. Cartwright

28. Moved by Councillor Kovach
Seconded by Councillor Laidlaw
THAT Councillor Findlay be appointed to the Guelph Downtown
Coordination Committee.

Carried

Accountability & Transparency Committee

Counc. Beard
Mrs. L.A. Giles

29. Moved by Councillor Kovach
Seconded by Councillor Findlay
THAT Councillor Beard be appointed to the Accountability &
Transparency Committee.

Carried

Councillor Laidlaw presented the SECOND REPORT of the Land Ambulance Committee.

Chief S. Armstrong

30. Moved by Councillor Laidlaw
Seconded by Councillor Beard
THAT the report of the Land Ambulance Committee be received.

Carried

Councillor Kovach presented the THIRD REPORT of the Council as a Committee of the Whole

Wastewater Treatment Master Plan Public Advisory Committee

Dr. J. Laird

31. Moved by Councillor Kovach
Seconded by Councillor Laidlaw
THAT Hugh Whiteley be appointed to the Wastewater Treatment
Master Plan Public Advisory Committee for the duration of the
mandate of the committee.

Carried

Organic Processing Technology Review Public Steering Committee

Dr. J.L. Laird

32. Moved by Councillor Kovach
Seconded by Councillor Laidlaw
THAT Stephen Rodd and Tim Adlington be appointed to the
Organic Processing Technology Review Public Steering
Committee for the duration of the mandate of the committee.

Carried

CONSENT AGENDA

33. Moved by Councillor Kovach
Seconded by Councillor Billings
THAT the September 17, 2007 Consent Agenda as identified below, be adopted:

a) **Purchase of Four Conventional Buses – Contract No. 07-026**

Mr. D. McCaughan
Mr. B. Stewart

THAT Contract No. 07-026 in the amount of \$1,707,392, be awarded to Nova Bus, Saint-Eustache, Quebec.

b) **Victoria Gardens Subdivision: Request for an extension of Draft Plan Approval by Black, Shoemaker, Robinson and Donaldson Ltd. on behalf of Victoria Wood (Arkell) Limited (File 23T-01503) – Ward 6**

Mr. J. Riddell

THAT Report 07-82 regarding a request for a Draft Plan Approval extension to the Victoria Gardens Subdivision (23T-01503) from Community Design and Development Services, dated September 17, 2007, be received;

AND THAT the application by Black, Shoemaker, Robinson and Donaldson Limited on behalf of Victoria Wood (Arkell) Limited for a three (3) year Draft Plan Approval Extension to Phase 3 and Phase 4 of the Victoria Gardens Residential Subdivision (23T-01503) on lands legally described as Part of Northeast Half of Lot 7, Concession 8, City of Guelph, known municipally as 299 Arkell Road be approved to an extended lapsing date of September 27, 2010, subject to the conditions outlined in Schedule 1 attached.

Carried

34. Moved by Councillor Farrelly
Seconded by Councillor Beard
THAT the Committee rise with leave to sit again.

Carried

35. Moved by Councillor Hofland
Seconded by Councillor Farrelly
THAT the action taken in Committee of the Whole in considering reports and correspondence, be confirmed by this Council.

Carried

SPECIAL RESOLUTIONS

Mr. J. Riddell
Mr. D. McCaughan

36. Moved by Councillor Salisbury
Seconded by Councillor Findlay

THAT Council direct staff to investigate and report back to the appropriate Committee of Council with recommendations in regard to identifying options for a preferred pedestrian connection between Margaret Green Park and areas South of the CN tracks along Paisley Road, taking into consideration the existing, proposed and potential trail connections in the area, accessibility to transit service on Paisley Road, and any other issues staff may deem appropriate.

AND THAT Council direct staff to undertake a parallel investigation and report back to the appropriate Committee of Council with recommended improvements to Paisley Road between the Hanlon Expressway and Whitelaw Road with regards to pedestrian and bicycle safety and accessibility, taking into consideration alternate lane marking, bicycle lanes in both directions, pedestrian activated crossings, preferred locations for transit stops and any other measures staff may deem appropriate.

Carried

BY-LAWS

37. Moved by Councillor Kovach
Seconded by Councillor Laidlaw

THAT leave be now granted to introduce and read a first and second time By-laws Numbered (2007)-18379 to (2007)-18403, inclusive.

Carried

The By-laws were read a first and second time at 9:12 o'clock p.m.

Council went into Committee of the Whole on By-laws Numbers (2007)-18379 to (2007)-18403, inclusive.

Mayor Farbridge in the Chair.

At 9:16 o'clock p.m., the Committee rose and reported By-laws Numbered (2007)-18379 to (2007)-18403, inclusive, passed in Committee without amendment.

38. Moved by Councillor Laidlaw
Seconded by Councillor Kovach

THAT By-laws Numbered (2007)-18379 to (2007)-18403, inclusive, be read a third time and passed.

Carried

The By-laws were read a third time and passed at 9:17 o'clock p.m.

QUESTIONS

Mr. G.W. Stahlmann
Mr. R. French

Councillor Kovach requested that when staff review 20 minute transit service, they report back with recommendations on the downloading/uploading of the increased demand to provide transit services to students as the schools have reduced their transportation costs and parents are struggling to purchase bus passes for their children.

Counc. L. Burcher

Councillor Laidlaw requested that the outstanding matter before Council with respect to the purchase of windpower be referred to the Community Development and Environmental Services Committee.

ADJOURNMENT

The meeting adjourned at 9:20 o'clock p.m.

Minutes read and confirmed October 15, 2007.

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Mayor

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Clerk

1. 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.
2. That the developer shall pay any **outstanding debts** owed to the City prior to the registration of the plan.
3. That any dead ends and open sides of road allowances created by this draft plan be terminated in **0.3 metre reserves** which shall be conveyed to the City. The 0.3 metre reserves along the Victoria Road South frontage and Arkell Road frontage shall be conveyed to the City. Blocks 270, 271 and 272 shall be deeded to the City for reserves. In addition, any road widenings required along Arkell Road to establish a streetline of 15 metres from the original centreline of Arkell Road shall be dedicated as part of Arkell Road.
4. The owner shall pay, as determined applicable by the City Treasurer, **development charges** and education development charges, in accordance with the 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.
5. That the developer **deeds to the City** any lands required by the City for Storm Water Management Facilities (**Blocks 262, 263, 264 and 265**). Furthermore, the developer shall demarcate the boundaries of any lands conveyed to the City in accordance with the policies of the City.
6. 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.
7. The developer shall implement the **noise control measures** recommended in an updated report to the Traffic Noise Assessment (June 2002) prepared by Paradigm Transportation Solutions Limited prior to the registration of any part of this Plan. The developer shall undertake all work and obligations contained in the report and these requirements shall be detailed in the Subdivision Agreement. The location of noise mitigation features should also be specified to the satisfaction of the Director of Community Design and Development Services.
8. 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 developer's cost.
9. That the developer is responsible for the total **cost of the design and construction of all services** required to service all of the 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 cost to include services required to service the subdivision which are located outside the limits of the subdivision.

10. The developer is responsible for the total cost of the design and construction and any **roadworks, including sidewalks, boulevards and curbs**, within and surrounding the plan of subdivision, and specifically:
 - a) The developer shall be responsible for their share of the cost of constructing and installing turning lanes across the frontage of the lands at the intersections of Victoria Road South and Street No. 1, Arkell Road and Street No. 5, Arkell Road and Street No. 8, Victoria Road South and the access to Block 257, Victoria Road South and the access to Block 259.
 - b) The subdivision shall not be registered until such time as funding to upgrade Arkell Road to full urban standards including the construction of sewers has been secured to the satisfaction of the City Engineer.
11. That all **easements and rights-of-way** required within or adjacent to the proposed subdivision be granted to the satisfaction of the City, Guelph Hydro Electric Systems and other Guelph utilities.
12. That the developer shall pay to the City the cost of any **existing services** within or abutting the proposed subdivision, as determined by the City Engineer.
13. That the developer makes arrangements, satisfactory to the City Engineer, concerning the scheduling of the development and the developers payment of **cost for services** within and surrounding the subdivision.
14. That the developer **phases the subdivision** to the satisfaction of the City and specifically:
 - a) No registration of the plan shall take place until the lands can be serviced with a sanitary sewer outlet to the satisfaction of the City Engineer and Director of Community Design and Development Services.
 - b) The Outback Developments subdivision (23T-01507) to the west will need to be registered and developed to the satisfaction of the City Engineer in order to provide the required sewers, watermain and road prior to the registration of Street No. 11 and Lots 34 to 49 inclusive, or any part thereof.
 - c) No registration of the plan shall take place until the Environmental Assessment for Victoria Road South has been completed to the satisfaction of the City Engineer.
15. Lots 1 and 33 abutting Street No. 6 shall be **deeded to the City** and held, in accordance with City policy, until Street No. 6 can be constructed and extended westerly beyond the terminus of the road as shown on the draft plan, to the satisfaction of the City Engineer.
16. The developer shall carry out an **archaeological assessment** of the subject property and mitigate, through preservation or resource removal, adverse impacts to any significant archaeological resources found. No demolition, grading or soil disturbances shall take place on the subject property, prior to the issuance of a letter from the Ministry of Culture to the City indicating that all archaeological assessment and/or mitigation activities undertaken have met licensing and resource conservation requirements.

17. That the developer prepare a **site drainage and grading plan** for the entire subdivision, satisfactory to the City Engineer.
18. 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 approved plans 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.
19. 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 the registration of the plan of subdivision.
20. 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.
21. 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.
22. 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.
23. 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. The report shall include a monitoring program to assess the performance of the stormwater management facilities.
24. Any **domestic wells and boreholes** drilled for hydrogeological or geotechnical investigations be properly abandoned in accordance with the Ministry of Environment Regulations and Guidelines to the satisfaction of the City Engineer.
25. The developer notify all purchasers and/or tenants of all lots 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.
26. That the **road allowances** included in the draft plan be shown and dedicated as public highway's 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.

27. That the developer notify all prospective purchasers and homeowners in the subdivision that all parts of Street Nos. 1, 5 and 6 could be used as part of a **transit route** to provide public transit service through the subdivision from the early stages of development.
28. That the developer build **Street Nos. 1, 5 and 6** with a roadway having a minimum pavement width of 10 metres and sidewalks to the satisfaction of the City.
29. That the developer shall pay to the City the cost of installing **bus stop pads** in the subdivision at the locations to be determined with Guelph Transit, prior to the registration of the plan.
30. That the developer notify all prospective purchasers and homeowners of Blocks 257 and 258 that Victoria Road South may be used as a **truck route**.
31. That the developer **notify** all prospective purchasers and homeowners of **Lots 76, 77 and 169, Block 255 and Block 256** and the units of **Block 251** and 254, that have flankage on Arkell Road, that Arkell Road may be used as a truck route.
32. That the developer enters into an **Engineering Services Agreement** with the City and a **Subdivision Agreement** with the City registered on title, satisfactory to the City Engineer.
33. That 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.
34. 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.
35. That the developer **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 Community Design and Development Services".
36. The developer shall **dedicate Block 261** for parks purposes in accordance with the provisions of City of Guelph By-law (1989)-13410, as amended by By-law (1990)-13545, or any successor thereof.
37. Prior to the release of building permits, the developer shall be responsible for the **cost and development of the "Basic Park Development"** as per the City of Guelph Recreation and Parks Department's Specifications for Parkland Development, which includes clearing, grubbing, topsoiling, grading and sodding to the satisfaction of the Director of Community Services. The final grading of **Park Block 261** should be completed in a manner that will accommodate sports fields to the satisfaction of the Director of Community Services.

38. Prior to the registration of all, or any portion of the plan containing a park block, the developer shall **provide security** to the satisfaction of the City for the estimated cost of the park development.
39. Prior to the release of building permits, the developer shall **demarcate the boundary of Park Block 261** in accordance with the City of Guelph Property Demarcation Policy. This shall include submitting drawings for approval, identifying the concrete markers and living fences, to the satisfaction of the Director of Community Design and Development Services. The developer shall be responsible for the cost of design and development of the living fence and property demarcation for the Park Block.
40. Prior to the release of building permits, the developer shall **demarcate** the boundary of the Stormwater **Greenway Blocks 262 to 265** in accordance with the City of Guelph Property Demarcation Policy. This shall include submitting drawings for approval, identifying the concrete markers and living fences, to the satisfaction of the Director of Community Design and Development Services. The developer shall be responsible for the cost of design and development of the living fence and property demarcation for the Stormwater Greenway Blocks.
41. Prior to the registration of the subdivision plan or any part thereof, 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 plan, with such payment based on a cost of one handbook per residential dwelling unit, as determined by the City.
42. The developer shall include in the subdivision agreement and insert in all agreements of purchase and sale or lease for each dwelling in **Blocks 255, 256, 257 and 258 the following warning clause** – “The lands adjacent to the subdivision are being utilized for normal agricultural operations that may result in noise, dust, odour and other potential nuisances associated with livestock or agricultural uses. These normal agricultural practices may occasionally affect the living environment of residents in close proximity to agricultural operations.”
43. 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 subdivisions shall complete any requirement of Canada Post including advisories and suitable mailbox locations, prior to the registration of the plan.
44. That the developer complete the following conditions to the satisfaction of the **Upper Grand District School Board**:
 - a) That the developer shall set aside Block 260 as a Public School site to the satisfaction of the Upper Grand District School Board.

- b) 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;
 - c) Adequate sidewalks, lighting and snow removal is provided to allow children to walk safely to school;
45. 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 bussing students outside the immediate area should school in the area be at capacity.
46. Prior to any detailed lot grading or construction on the site and prior to the registration of the plan, the owners or their agents shall submit the following plans and reports to the satisfaction and approval of the **Grand River Conservation Authority**:
- a. A detailed storm water management report and plans in accordance with the 1994 Ministry of Environment and Energy Report entitled, Stormwater Management Practices Planning and Design Manual. This report should include geotechnical information addressing the infiltration potential on the site. In addition, a storm-servicing plan for the site should be included.
 - b. Detailed Lot Grading and Drainage Plans.
 - c. An erosion and sediment control plan and plan in accordance with the Grand River Conservation Authority's Guidelines on Erosion and Sediment Control for construction sites, including the means whereby erosion will be minimized and sediment maintained on site throughout all phases of grading and construction.
 - d. The subdivision agreement between the owners and the municipality contain provisions for the completion and maintenance of the works in accordance with approved plans and reports noted above.
47. A **landscape buffer**, including earth berm, along the Victoria Wood frontage is to be established through Site Plan Approval for **Blocks 257, 258 and 259** to the satisfaction of the Director of Community Design and Development Services and in consultation with the Director of Planning of the County of Wellington.
48. The Owner agrees to retain the building illustrated on **Lot 106** as part of the development of this subdivision. During the term of the subdivision agreement, the Owner agrees to maintain the building in a safe and secure condition, and, in the event of damage to the building, the Owner shall restore the building to a safe and secure condition, such restoration to take place forthwith after the occurrence of the damage. In the event of the total destruction of the building, the Owner agrees to make best efforts to replace the building, if feasible given the character, type and the age of the building and the building materials, such replacement to take place within one year of the destruction. The Owner further agrees to maintain property insurance for full replacement value on the building during the currency of the subdivision agreement.
49. 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 condition 44 has been satisfied.

50. 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 45 has been satisfied.
51. Prior to the registration of all or any portion of the plan, the Grand River Conservation Authority shall advise the City in writing how condition 46 has been satisfied.
52. Prior to the registration of all or any portion of the plan, Canada Post shall advise the City in writing how condition 43 has been satisfied.
53. Prior to the registration of all or any portion of the plan, Guelph Hydro Electrical Systems Inc. shall advise the City in writing how conditions 11 and 22 have been satisfied.
54. Prior to the registration of all or any portion of the plan, Bell Canada shall advise the City in writing how condition 19 has been satisfied.
55. Prior to the registration of all or any portion of the plan, Ministry of Culture shall advise the City in writing how condition 16 has been satisfied.
56. This Draft Plan Approval shall lapse at the expiration of 3 years from the date of issuance of Draft Plan Approval.