

March 2, 2005

Mr. P. Cartwright
Director of Economic Development

Dear Mr. Cartwright,

At a meeting of Guelph City Council held February 21, 2005, the following resolution was adopted:

“THAT the application by the City of Guelph, Stradiotto Brothers Holdings Limited, Thomas and Edward Phelan and Phelan Farm Trust and Stanford Robert Snyder, for approval of an Official Plan Amendment involving both text and map changes as outlined in Schedule 4 of the January 31, 2005 Planning and Building Services Planning Application Report in support of the Hanlon Creek Business Park proposal, (City Files 23T-03501, OP0301, ZC0301) to permit a Business Park/Industrial Subdivision, be approved, subject to the changes outlined in Schedule 2 of the February 21, 2005, Planning and Building Services Council report, as shown on Schedule A attached hereto;

AND THAT the application by the City of Guelph, Stradiotto Brothers Holdings Limited, Thomas and Edward Phelan and Phelan Farm Trust and Stanford Robert Snyder, owners of the subject lands proposed as the Hanlon Creek Business Park, for approval of a Draft Plan of Subdivision and associated Zoning By-law Amendment (City Files 23T-03501, OP0301, ZC0301) as outlined in Schedule 4 of the January 31, 2005 Planning and Building Services Planning Application Report to permit a Business Park/Industrial Subdivision on 271.64 hectares (671.21 acres) of land legally described as Part of Lots 16, 17, 18, 19 & 20, Concession 4 and Part of Lots 16, 17, 18 & 19, Concession 5 (former Geographic Township of Puslinch) City of Guelph, be approved, subject to the conditions and changes outlined in Schedule 2 of the February 21, 2005, Planning and Building Services Council report, as shown on Schedule A attached hereto;

AND THAT City Staff be instructed to prepare the necessary amendment to Zoning By-law Number (1994)-14864, as amended, to rezone the subject lands according to the proposed zoning map and schedules listing permitted uses and regulations as detailed in Schedule 4 of the Planning and Building Services Planning Application report dated January 31, 2005, with the changes and additions as outlined in Schedule 2 of the February 21, 2005, Planning and Building Services Council report, as shown on Schedule A attached hereto;

AND FURTHER, THAT Council direct Staff to continue to work with Cox Construction with the intent to address remaining concerns to the satisfaction of both the City and Cox Construction, reflective of the intent of the Hanlon Creek Business Park draft plan application;

AND THAT the existing Tanner Drive stub-end roadway not be extended to connect to Road A;

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AND THAT the proposed Teal Drive/McWilliam Road connection to Road A be approved as shown on the latest draft plan of subdivision;

AND THAT Schedule 2 of the February 21, 2005, Planning and Building Services Council report be amended by deleting the first bullet in Condition 1 and Condition 31;

AND THAT Downey Road not be available for construction traffic;

AND THAT the Public Liaison Committee for the Hanlon Creek Business Park be composed of three representatives elected by the Kortright Hills Neighbourhood Association;

AND THAT the elected representatives of the Kortright Hills Neighbourhood Association provide input to the Director of Economic Development in the development of the terms of reference of the Public Liaison Committee;

AND THAT the terms of reference for the Public Liaison Committee be referred back to Council for approval;

AND THAT all parking and driveway areas have an impervious and or paved surface;

AND THAT the Hanlon Creek State of the Watershed Study be added as a consideration in Condition 12.”

Yours truly,

Lois A. Giles
Director of Information/City Clerk

c.: Mr. J. Riddell
Mr. D. Kennedy
Mr. A. Goldie
Ms. L.E. Payne

LAG: cm

SCHEDULE A

A)

OFFICIAL PLAN AMENDMENT

"THAT the application by the City of Guelph, Stradiotto Brothers Holdings Limited, Thomas and Edward Phelan and Phelan Farm Trust and Stanford Robert Snyder, for approval of an **Official Plan Amendment** involving both text and map changes as outlined in Schedule 4 of the January 31, 2005 Planning and Building Services Council report in support of the Hanlon Creek Business Park proposal, (City Files 23T-03501, OP0301, ZC0301) to permit a Business Park/Industrial Subdivision, BE APPROVED, with the following changes and additions:

1. text changes (Section 7.7.7) of the proposed amendment will only apply to the Hanlon Creek Business Park lands and will not apply on a City-wide basis.
2. proposed cluster townhouse Block 1 and lands at 165 McWilliams Road shall be re-designated Medium Density Residential and General Residential, respectively.
3. lands located at 788 and 902 Laird Road West shall be re-designated Corporate Business Park."
4. that the changes to the tributary stream as approved by the GRCA be recognized through a re-designation to an Open Space designation on Schedule 1 and 2 of the Plan. "

AND

B)

SUBDIVISION

"That the application by the City of Guelph, Stradiotto Brothers Holdings Limited, Thomas and Edward Phelan and Phelan Farm Trust and Stanford Robert Snyder, owners of the subject lands proposed as the Hanlon Creek Business Park, for approval of a **Draft Plan of Subdivision and an associated Zoning By-law Amendment** (City Files 23T-03501, OP0301, ZC0301) as outlined in Schedule 4 of the January 31, 2005 Planning and Building Services Council report to permit a Business Park/Industrial Subdivision on 271.64 hectares (671.21 acres) of land legally described as Part of Lots 16, 17, 18, 19 & 20, Concession 4, and Part of Lots 16, 17, 18, & 19, Concession 5 (former Geographic Township of Puslinch) City of Guelph, BE APPROVED, subject to the following conditions:

CITY CONDITIONS

1. That this approval applies only to the draft plan of subdivision dated December 10, 2002, last revised on January 5, 2005, prepared by GSP Group Inc. (Project No. 1081.40), as modified in red to include:
 - Addition of a red-line Note on the plan recognizing that the small triangle of land on the west side of Downey Road at the southwest corner of the intersection of Laird Rd.

and Downey Rd. be dedicated as a road widening, prior to the registration of any phase that includes Road D being the realigned Laird Road.

- **The addition of 0.3 metre reserves along the realigned Laird Road (Road D) as shown on Schedule 8 to limit direct access to the road in certain locations.**

Conditions to be met prior to rezoning of specific Blocks

2. Prior to the development of Blocks 7, 12, 14, 15, 16, 19, 20, 22, 23, 25, 28, 31, 37, 38, the developers shall enter into a **Site Servicing Agreement and Subdivision Agreement and a Cost Sharing or Front-ending Agreement** with the City to the satisfaction of the City, and that an (H) Holding Provision be placed on the proposed zoning for these Blocks, in order to ensure that all benefiting lands to the draft plan are serviced with full municipal services and all associated costs are paid to the City, as calculated by the City and to the satisfaction of the City, prior to the development of these Blocks in the plan. (Planning)

Conditions to be met prior to grading and site alteration (and entered into subdivision agreement prior to registration)

3. That the Developer complete a **tree inventory and conservation plan**, satisfactory to the Commissioner of Environment and Transportation in accordance with City of Guelph Bylaw (1986)-12229 prior to any grading or construction on the site. (Engineering)
4. That the Developer agrees to **stabilize all disturbed soil** within 90 days of being disturbed, control all noxious weeds and keep ground cover to a maximum height of 150 mm (6 inches) until the release of the subdivision agreement on the block/lot so disturbed.(Engineering)
5. That the Developer agrees to prepare a **construction traffic access and control plan** for all phases of servicing and building construction to the satisfaction of the Commissioner of Environment and Transportation. Any costs related to the implementation of such a plan shall be borne by the Developer. Any repair of damage or maintenance required to surrounding streets as a result of such traffic shall be at the Developers cost. Also, the use of Teal Drive and Downey Road shall be specifically excluded in the approved construction traffic access and control plan.
6. That the Developer agrees that no work, including, but not limited to **tree cutting, grading or filling**, will occur on the lands until such time as the Developer has obtained written permission from the Commissioner of Environment and Transportation or has entered into a Subdivision Agreement with the City. (Engineering)
7. That prior to any grading or construction on the site, the Developer enters into an **Engineering Services Agreement** with the City, 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. (Engineering)

8. That the Developer prepare an overall **site drainage and grading plan**, satisfactory to the Commissioner of Environment and Transportation, for the entire subdivision, prior to any grading or construction on the site. 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)
9. That the Developer constructs, installs and maintains **erosion and sediment control** facilities, satisfactory to the Commissioner of Environment and Transportation, prior to any grading or construction on the subdivision lands in accordance with a plan that has been submitted to and approved by the Commissioner of Environment and Transportation. (Engineering)
10. That the Developer shall provide a qualified **environmental inspector**, satisfactory to the Director of Planning and Building Services, 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, compliance with the Environmental Impact Study and the Environmental Implementation Report on a weekly or more frequent basis if required. The environmental inspector shall report on their findings to the City on a monthly or more frequent basis. (Planning & Engineering)
11. That the Developer shall submit a **Storm Water Management Report and Plan** to the satisfaction of the Commissioner of Environment and Transportation 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, Provincial Guidelines and the Storm Water Management Design Report for the Hanlon Creek Watershed. Maintenance and operational requirements for any control and/or conveyance facilities must be described in a format to be made available to the City of Guelph's Public Works Department (Engineering)
12. That the Developer shall prepare an **Environmental Implementation Report (EIR)** based on terms of reference approved by the City and Grand River Conservation Authority (GRCA). Such a report will include a monitoring program to assess the performance of the storm water management facilities. The Developer shall implement all recommendations of the EIR to the satisfaction of the City and GRCA. Further, the Developer shall address all items and recommendations expressed in the Hydrogeological Report, the Environmental Advisory Committee comments including the detailed comments from the City's former Environmental Planner and the Guelph Field Naturalists comments, and include consideration of the Hanlon Creek State of the Watershed Study, to the satisfaction of the City and the GRCA, prior to the registration of the plan.
13. 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 Commissioner of Environment and Transportation. Any **boreholes** drilled for hydrogeological or geotechnical investigations must also be properly abandoned. (Engineering)

14. That 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 any soil disturbances shall take place on the subject property, prior to the issuance of a letter from the Ministry of Citizenship, Culture and Recreation to the City indicating that all archaeological assessment and/or mitigation activities undertaken have met licensing and resource conservation requirements. (Planning)
15. Prior to any development or grading of the site, the developer shall submit to the City, a report indicating how regular **dust suppression** will be accomplished during the construction phase of the subdivision.
16. **That the developer construct minimum 2 metre high landscaped berms abutting Blocks 2, 3, 9, 10, 31, 32, 36 and 37 to the satisfaction of the Director of Planning and Building Services, prior to the registration of any phase of the development including the blocks abutting the berm.**

Conditions to be met prior to execution of subdivision agreement

17. That the Developer is responsible for the **total cost of the design and construction** of all municipal services required to service the lands including sidewalks, boulevards and curbs 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 a legal and binding agreement with another party. The distance and alignment of such services will be determined by the City of Guelph. 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, watermains and emergency accesses. (Engineering)
18. That the Developer pay a share of the cost of all **existing municipal services** within and abutting the proposed subdivision, as determined by the Commissioner of Environment and Transportation. (Engineering)
19. That the Developer pays the cost of supplying and erecting **street name and traffic control signs and traffic signals** in the subdivision, to the satisfaction of the City. (Engineering)
20. That the Developer pays to the City the cost of installing **bus stop pads** at locations to be determined by Guelph Transit. (Engineering)
21. The Developer shall have **engineering servicing drawings** and **final reports** prepared for the approval of the Commissioner of Environment and Transportation. 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)

22. That the Developer shall submit a **Geotechnical Report** to the satisfaction of the Commissioner of Environment and Transportation which describes the potential impacts of groundwater and provides recommendations for pavement design and pipe bedding (Engineering).
23. That the Developer shall submit a **Traffic Impact Study** to the satisfaction of the Commissioner of Environment & Transportation addressing vehicular site access, the potential impact of the development on the existing road network, and the design of traffic calming measures within existing and proposed roads (Engineering).
24. That the Developer agrees to provide three second order, second level **Geodetic Benchmarks** in locations within the proposed subdivision to the satisfaction of the Commissioner of Environment and Transportation. (Engineering)
25. That the Developer shall submit a **Monitoring Plan** to the satisfaction of the Commissioner of Environment & Transportation for the existing sanitary sewer on Downey Road that will determine actual flows in this sewer as each phase of development is completed. At such time as actual flows reach a critical amount, as determined by the Commissioner, the Developer agrees to reconstruct the Downey Road sewer to provide additional capacity for subsequent phases of development. (Engineering)
26. That the Developer agrees that **Street 'F'** will not be constructed **to connect to Forestell Road** until such time as it is required to service development south of Forestell Road (Engineering). **This condition however, will not prevent Street 'F' from being partially constructed to allow local road access to Blocks 32 and 36.**
27. That the developer makes arrangements, satisfactory to the Commissioner of Environment and Transportation, concerning the **scheduling of the development and the developers payment of cost for services** for the subdivision. (Engineering)
28. 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. (Planning)
29. That the developer shall be responsible for the design and development of the entire **Pedestrian Open Space Trail System** in-lieu of Parkland Dedication for the entire development, in accordance with the City of Guelph By-law (1989)-13410, as amended by By-law (1990)-13545, or any successor thereof, prior to the issuance of any building permits and to the satisfaction of the Commissioner of Community Services. (Community Services)
30. Prior to the release of building permits, the developer shall **demarcate the boundary of all SWM Blocks and Open Space Blocks**, in accordance with the City of "Guelph Property Demarcation Policy". This shall include submitting drawings for approval, identifying the living fence and/or chain link fence, to the satisfaction of the Commissioner of Community Services and the Commissioner of Environment and Transportation. The developer shall be responsible for the cost of design and development of the living fence and/or chain link fence for the SWM and Open Space Blocks. (Community Services)

Conditions to be met prior to registration of the plan

31. 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 and capacity within the Downey Road sanitary sewer**. (Engineering)
32. The Developer agrees that, in the event that development of the property is to be phased, a **phasing plan** must be submitted prior to final approval and registration of the first phase. 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. (Planning and Engineering)
33. That the Developer acknowledges that the suitability of the land for the proposed uses is the responsibility of the landowner. The owner of any lands to be conveyed to the City of Guelph 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 landowner'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)
34. That prior to final approval of the plan, the Developer enters into a **Subdivision Agreement**, to be registered on title, satisfactory to the City Solicitor, which includes all requirements, financial and otherwise to the satisfaction of the City of Guelph. (Legal)
35. That the Developer **deeds** to the City all lands, or provides an **easement** over any lands required for Storm Water Management facilities. (Legal)
36. That all **easements, blocks, reserves** 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)
37. That the Developer shall pay any **outstanding debts** owed to the City, prior to the registration of the proposed plan of subdivision. (Planning)
38. That 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)

39. That **street lighting** 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. (Engineering)
40. 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. (Engineering)
41. 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. (Engineering)
42. That the developer shall erect signs at the entrances to the subdivision showing the **proposed land uses and zoning of all lots and blocks** within the proposed subdivision and predominantly place on such signs the wording "For the zoning of all lands abutting the subdivision, inquiries should be directed to the Department of Planning and Building Services, Planning Division, City Hall". (Planning)
43. 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 businesses within the plan, with such payment based on a cost of one handbook per business unit, as determined by the City. (Planning)
44. The Owner agrees to meet all the 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. (Engineering & Planning)
45. The developer shall meet all **Canada Post requirements** to the satisfaction of Canada Post. (Planning)
46. That all non-developable lands ultimately rezoned to the **P.1 Zone and the WL Zone shall be dedicated to the City** free of any encumbrance and in a form that is satisfactory to the City Solicitor. (Planning & Legal)
47. That the **small triangle of land on the west side of Downey Road** at the southwest corner of the intersection of Laird Rd. and Downey Rd. that is currently outside of the subdivision plan be dedicated as a road widening, prior to the registration of any phase that includes Road D being the realigned Laird Road, in order to secure the complete road allowance for the realigned right-of way for Laird Road. (Planning)

Conditions to be met prior to granting of site plan approval

48. The developer shall submit to the City for approval, **noise and vibration assessment reports** for development on the northerly Blocks 2,3,9,10 and the portion of Block 11 north of Road A, and on the southerly Blocks 31,32,36 and 37 and the portion of Block 19 that is south of the watermain easement on the plan, in order to confirm that the proposed use, activity and development, in hand with the proposed zoning restrictions and regulations, meets the Ministry of Environment noise and separation distance guidelines, prior to the granting of site plan approval by the City. (Planning)

Conditions to be met prior to issuance of a building permit

49. The Developer shall **demarcate** and **fence** (living and/or chain link), the boundaries of all lands conveyed to the City in accordance with the policies of the City. (Parks)
50. That all existing **roads to be closed** and/or used for emergency access be constructed to a standard acceptable to the Commissioner of Environment & Transportation at the expense of the Developer. (Engineering)
51. 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. (Building)
52. 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)
53. That the subdivision agreement between the owners and the City contain provisions that **Laird Road shall remain** as an open and travelled road in its present location and alignment until both new Street D and the MTO grade-separated interchange is constructed and operating in order to directly accommodate the aggregate haul routes to the Hanlon Expressway. Further, the final engineering and design of Road D shall emphasize a thoroughfare route and efficiency of travel and Staff shall encourage businesses to locate driveways on to local streets rather than directly on to Street D, to accommodate the aggregate contractors operating haul routes along Laird Road to and from the Hanlon Expressway. **The City shall, require 0.3 metre (1 foot) reserves along Road D in certain locations to control the location of driveway entrances located on Road D. Further, access points to Street D (realigned Laird) from Blocks 34 and 35 shall be required to align with the roads C, E, F, and I, wherever possible.** (Planning and Engineering).
54. **That the subdivision agreement between the Owners and the City contain provisions requiring the developer to build the realigned Laird Road initially as a three lane**

roadway with a centre turn lane to provide refuge for left turning vehicles without impeding through traffic.

55. **That the subdivision agreement between the Owners and the City contain provisions that the developer shall notify future landowners and tenants that trucks entering/leaving their properties shall use only the Hanlon Expressway and/or Downey Road south of Road A.**

AGENCY CONDITIONS

56. Prior to registration, the City of Guelph shall submit to the Ministry of Transportation for their approval, a **final Traffic Impact Study (TIS)** indicating the anticipated traffic volumes generated by the subdivision development and their impact upon the intersection of Highway 6 and Laird Road. *MTO*
57. Prior to registration, the City of Guelph shall enter into a **legal agreement** with the ministry regarding responsibilities for the highway improvements identified in the TIS, including intersection improvements and a future interchange at Laird Road. *MTO*
58. Prior to registration, the City of Guelph shall submit to the Ministry of Transportation for their review and approval, a copy of a **Stormwater Management Report/Plan** indicating the intended treatment of the calculated stormwater runoff for the entire plan of subdivision. *MTO*
59. Prior to registration, the City of Guelph shall submit to the Ministry of Transportation for their review and approval a copy of the final plan identifying the **road and lot layouts** for the proposed subdivision. *MTO*
60. No development will be permitted until the **highway improvements** covered in the legal agreement have been constructed. *MTO*
61. Prior to permit approval for Blocks 10, 11, 12, 16, 17 and 19, arrangements shall be made to the satisfaction of the ministry for the **installation of a security fence** (chain link six feet high, or equivalent) along the Highway 6 boundary of the plan, should a noise barrier not be required. *MTO*
62. Prior to permit approval, each developer shall submit to the Ministry of Transportation for their review and approval, a copy of a **Stormwater Management Report/Plan** indicating how the intended treatment of the calculated stormwater runoff from their site complies with the overall stormwater plan for the subdivision. *MTO*
63. Prior to permit approval, each developer shall submit to the Ministry of Transportation for their review and approval, **Site Plans, Grading Plans and Site Servicing Plans.** *MTO*
64. Prior to permit approval on Blocks 10, 11, 12, 16, 17 and 19, each developer of lands adjacent to Highway 6 shall submit to the Ministry of Transportation for their review and approval an

illumination plan, prepared by a qualified consultant, indicating the intended treatment of the site lighting glare. *MTO*

65. Prior to any grading or construction on the site and prior to the registration of the plan, the owners or their agents submit the following **plans and reports to the satisfaction of the Grand River Conservation Authority**:
 - a. A detailed stormwater management report in accordance with the MOE Planning and Design Manual, 2003
 - b. A final Hydrogeological Assessment Report to show how infiltration will be maintained throughout all phases of the development.
 - c. An erosion and siltation control plan in accordance with the Grand River Conservation Authority Guidelines for sediment and erosion control, indicating the means whereby erosion will be minimized and silt maintained on site throughout all phases of grading and construction.
 - d. Detailed lot grading and drainage plans.
66. Prior to any grading or construction on the site, that appropriate **Fill Construction Alteration to Waterways permits** be obtained. GRCA
67. That the subdivision agreement between the owners and the municipality contain provisions for the **completion and maintenance of the works** in accordance with the approved plans and reports. GRCA
68. Draft Plan Approval of the Hanlon Creek Business Park shall lapse at the expiration of **5 years** from the date of issuance of Draft Plan Approval.
69. 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 condition 44 has been satisfied.
70. That prior to the registration of all or any portion of the plan, the **MTO** shall advise the City in writing how conditions 56 to 64 have been satisfied.
71. That prior to the registration of all or any portion of the plan, the **GRCA** shall advise the City in writing how conditions 65 to 67 have been satisfied.
72. That prior to the registration of all or any portion of the plan, **Canada Post** shall advise the City in writing how condition 45 has been satisfied.
73. That prior to the registration of all or any portion of the plan, **Bell Canada** shall advise the City in writing how condition 40 has been satisfied.”

AND

C)

REZONING

“THAT City Staff be instructed to prepare the necessary amendment to Zoning By-law Number (1994)-14864, as amended, **to rezone the subject lands according to the proposed zoning map and schedules listing permitted uses and regulations as detailed in Schedule 4 ‘Proposal’, of the Planning and Building Services Planning Application report dated January 31, 2005, with the following changes and additions:**

- “Blocks 7, 12, 14, 15, 16, 19, 20, 22, 23, 25, 28, 31, 37 and 38, shall be zoned accordingly, as outlined in Schedule 4 of the report, (Specialized B.2 and B.5 Zones), with the addition of an (H) Holding provision to ensure that development does not occur until full municipal services are provided and all applicable costs associated with development are paid to the City, to the satisfaction of the City of Guelph.

Holding Condition: (Stradiotto, Phelan and Snyder lands)

Prior to the removal of the Holding designation “H”, the owner shall complete the following conditions to the satisfaction of the City:

The owners and any mortgagees shall enter into a Site Servicing Agreement and Subdivision Agreement and a Cost Sharing or Front-ending Agreement with the City, satisfactory to the City Solicitor and registered on the title of the individually-owned parcels of land, agreeing to all conditions related to the development of the lands including the provision of full municipal services and the payment to the City of all applicable costs associated with the Hanlon Creek Business Park development, to the satisfaction of the City of Guelph.”

- “THAT the rezoning of Block 1 of the subdivision plan to the R3A (Cluster Townhouse) Zone BE APPROVED.”
- “THAT the “religious establishment” use be removed and Manufacturing, Warehouse and Research Establishment be added in the *B.2-_ Zone, that Computer Establishment be added to the B.2 Zone, that Veterinary Service be removed from the B.5-_ Zone and the *B.5-_ Zone and that Laboratory be added to the **B.2-_ Zone.”
- “That the following definitions be revised or added to the Comprehensive Zoning Bylaw:

Computer Establishment (revised)

means a building, or part thereof, used for data processing, the design and distribution of computer programs, and computer training for persons.

Laboratory (new)

means a building, or part thereof, used for scientific, medical and/or dental testing, experimentation and/or research.

Post Secondary School (new)

means an institution for education or instruction as defined in the Ministry of Colleges and Universities Act, including a University and Community College.

Trade and Conventions Facilities (new)

means a building, or part thereof, which is not a hotel, and in which facilities are provided for a lecture auditorium or meeting room facility for the exclusive use of conference or convention participants.”

- “THAT the City-initiated rezoning for lands at 788, 881 and 902 Laird Road West (three existing residences) to a Specialized B.5 Business Park (H) Holding Zone, BE APPROVED, according to the following:

B.5 (H **) Holding Zone

(788, 881 and 902 Laird Road West)

As shown on Defined Area Map Numbers 69 & 70 of Schedule “A” of this Bylaw.

Permitted Interim Use:

One (1) single-detached dwelling, subject to the regulations outlined in Section 5.1.2 (R.1B Zone) of the Zoning Bylaw despite Section 4.10, only until such time as the City has lifted the Holding provision (H**) to allow the development of Corporate Business Park uses on the property in accordance with the permitted uses and regulations of the B.5 Zone.

Permitted Uses:

B.5 Zone Uses proposed in the HCBP.

Regulations:

B.5 Zone Regulations proposed in the HCBP, upon redevelopment of the lands for B.5 Zone uses.

Holding Provision for the B.5 (H **) Zone

Purpose:

To ensure that B.5 Zone corporate business park redevelopment on the lands at 788, 881 and 902 Laird Road West does not occur until the development potential of the lands are identified through the approval of an Environmental Impact Study approved by the City and the GRCA, full municipal services are provided and all applicable costs associated with development are paid to the City, all to the satisfaction of the City of Guelph.

Conditions:

Prior to the removal of the Holding designation “H”, the owner shall complete the following conditions to the satisfaction of the City:

The owners shall submit an Environmental Impact Study to the City and the Grand River Conservation Authority for approval. This study shall identify all developable and non-developable lands and the owner shall dedicate all non-developable lands to the City of Guelph, to the satisfaction of the City, prior to the redevelopment of the lands.

The owners and any mortgagees shall enter into a Site Plan Agreement with the City, satisfactory to the City Solicitor and registered on the title of the lands, agreeing to all City conditions related to the development of the lands including the payment of all costs associated with the provision of full municipal services to the lands.”

- “THAT the City-initiated rezoning for lands located at 165 McWilliams Road to the R.1B (Single-Detached Residential) Zone BE APPROVED.”
- Including the approval of the rezoning of all lands identified in the WL Wetland Zone and the P.1 Park/Conservation Land Zone.
- Including changes identified on Schedules 6a and 6b of the January 31, 2005 report, as determined by City Council.
- **As amended by the following recommendations dated February 21, 2005:**

Maximum Building Height

B.5 Zone

1. **Blocks 9S and 11N (to the zone line).**
Change “none” to “8 metres and in accordance with Section 4.18”
2. **All remaining Blocks**
(Blocks 4,5,6,7,8,11S,12,13,14,15,16,17,18,19,20,21,23,24)
Change “none” to “20 metres and in accordance with Section 4.18” with the exception of a ‘Hotel’ which shall have a maximum building height of “32 metres and in accordance with Section 4.18”

Landscaping along Berms

B.2 - , B.5- and *B.5- Zones (Forestell, Kortright East and Kortright West Zones)

Buffer Strips Regulation:

Add “Landscape material along the top of berm shall be planted with the following minimum size requirements:

**6 centimetre caliper requirement for deciduous trees
2 metre height requirement for coniferous trees.”**

**Cleaning Establishment
remove this permitted use from all applicable zones in the business park.”**

AND

D)

Additional Resolutions for February 21, 2005 Council’s Consideration

Public Liaison Committee

“That City Council request the Director of Economic Development to form a Public Liaison Committee (6-12 members) composed of representatives from City Staff, the Kortright Hills Neighbourhood Association, Puslinch Township residents and the land owners in the business park to monitor the implementation of conditions of approval and the development of the business park.”

and

“That the Director of Economic Development report back to Council on the status and operation of the Committee within 6 months of the approval of the business park.”