



**Minutes of Guelph City Council  
Held in the Council Chambers, Guelph City Hall on  
Monday February 9, 2015 at 6:30 p.m.**

---

**Attendance**

Council: Mayor Guthrie  
Councillor P. Allt  
Councillor B. Bell  
Councillor C. Billings  
Councillor C. Downer  
Councillor D. Gibson  
Councillor J. Gordon

Councillor Hofland  
Councillor M. MacKinnon  
Councillor L. Piper  
Councillor M. Salisbury  
Councillor A. Van Hellemond  
Councillor K. Wettstein

Staff: Mr. A. Horsman, Deputy CAO, Infrastructure, Development & Enterprise  
Ms. K. Nasswetter, Senior Development Planner  
Ms. L. Sulatycki, Senior Development Planner  
Ms. S. Kirkwood, Manager, Development Planning  
Mr. T. Salter, General Manager, Planning Services  
Mr. S. O'Brien, City Clerk  
Ms. J. Sweeney, Council Committee Coordinator

---

**Call to Order (6:30 p.m.)**

Mayor Guthrie called the meeting to order.

**Authority to Resolve into a Closed Meeting of Council**

1. Moved by Councillor Allt  
Seconded by Councillor Hofland

That the Council of the City of Guelph now hold a meeting that is closed to the public, pursuant to Section 239 (2) (b) of the *Municipal Act* with respect to a personal matter about an identifiable individual.

CARRIED

**Closed Meeting (6:31 p.m.)**

**Disclosure of Pecuniary Interest and General Nature Thereof**

There were no disclosures.

The following matter was considered:

**C.2015.4 Personal Matter About an Identifiable Individual**

**Rise from Closed Meeting (7:03 p.m.)**

---

Council recessed.

**Open Meeting** (7:07 p.m.)

Mayor Guthrie called the meeting to order.

**Disclosure of Pecuniary Interest and General Nature Thereof**

There were no disclosures.

**Council Consent Agenda**

1. Moved by Councillor Hofland  
Seconded by Councillor Bell

That February 9, 2015 Consent Agenda as identified below, be adopted:

**CON-2015.2 55 and 75 Cityview Drive North – Proposed Draft Plan of Residential Subdivision and Associated Zoning By-law Amendment (File: 23T-12501/ZC1202) – Ward 1**

1. That the application from GSP Group on behalf of Debrob Investments Limited for approval of a proposed Draft Plan of Residential Subdivision consisting of 249 to 324 residential units, consisting of 103 single detached dwellings, 28 semi-detached dwellings, 14 on-street townhouse units, and 105-180 multiple residential dwellings, an open space block and a park block, as shown on Attachment 5, of the report dated February 9, 2015 from Infrastructure, Development & Enterprise, applying to property municipally known as 55 and 75 Cityview Drive North and legally described as Part of Lots 25, 31 and 32, Registered Plan 53 and Part of Lot 4, Concession 3, Division "C", City of Guelph, be approved for a three (3) year period in accordance with Schedule 1 attached.
2. THAT the application by GSP Group for approval of a Zoning By-law Amendment from the UR (Urban Reserve) Zone, to the R.1D (Single Detached Residential) Zone, R.1D-? (Specialized Single Detached) Zone, R.1C-? (Specialized Single Detached Residential) Zone, R.2 (Residential Semi-Detached/Duplex) Zone, R.2-6 (Residential Semi-Detached/Duplex) Zone, R.3B (Residential On-Street Townhouse) Zone, R.3A-? (Cluster Townhouse) Zone, R.4A-? (Specialized General Apartment) Zone, P.2 (Neighbourhood Park) Zone, P.1 (Conservation Land) Zone and WL (Wetland) Zone to implement a residential Draft Plan of Subdivision comprising 249 to 324 residential units, be approved, as outlined in Schedule 1 attached.
3. That in accordance with Section 34(17) of the Planning Act, City Council has determined that no further public notice is required related to the minor modifications to the proposed Zoning By-law Amendment affecting 55 and 75 Cityview Drive North.

**CON-2015.3 Proposed Demolition of 315 Victoria Road North – Ward 2**

1. That Report 15-08 regarding the proposed demolition of one (1) single detached dwelling at 315 Victoria Road North, legally described as Concession 6, Division C Part Lot 1; City of Guelph, from Infrastructure, Development and Enterprise dated February 9, 2015, be received.
2. That the proposed demolition of one (1) detached dwelling at 315 Victoria Road North be approved.
3. That the applicant be requested to erect protective fencing at one (1) metre from the dripline of any existing trees on the property or on adjacent properties which can be preserved prior to commencement of demolition and maintain fencing during demolition and construction of the new dwelling.
4. That the applicant be requested to contact the General Manager of Solid Waste Resources, within Infrastructure, Development and Enterprise regarding options for the salvage or recycling of all demolition materials.

#### **CON-2015.4 Proposed Demolition of 123 Dawn Avenue – Ward 6**

1. That Report 15-06 regarding the proposed demolition of one (1) single detached dwelling at 123 Dawn Avenue, legally described as Plan 555, Part Lot 5; City of Guelph, from Infrastructure, Development and Enterprise dated February 9, 2015, be received.
2. That the proposed demolition of one (1) detached dwelling at 123 Dawn Avenue be approved.
3. That the applicant prepare and submit a Tree Preservation Plan in accordance with the Private Tree Protection By-law to the satisfaction of the General Manager of Planning Services prior to undertaking activities which may injure or destroy regulated trees.
4. That the applicant be requested to erect protective fencing at one (1) metre from the dripline of any existing trees on the property or on adjacent properties which can be preserved as identified on the approved Tree Protection Plan prior to commencement of demolition and maintain fencing during demolition and construction of the new dwelling.
5. That the applicant be requested to contact the General Manager of Solid Waste Resources, within Infrastructure, Development and Enterprise regarding options for the salvage or recycling of all demolition materials.

#### **CON-2015.5 Proposed Demolition of 86 Kent Street – Ward 3**

1. That Report 15-09 regarding the proposed demolition of one (1) single detached dwelling at 86 Kent Street, legally described as Plan 8, Part Lot 1009; City of Guelph, from Infrastructure, Development and Enterprise dated February 9, 2015, be received.
2. That the proposed demolition of one (1) detached dwelling at 86 Kent Street be approved.

3. That the applicant be requested to erect protective fencing at one (1) metre from the dripline of any existing trees on the property or on adjacent properties which can be preserved prior to commencement of demolition and maintain fencing during demolition and construction of the new dwelling.
4. That the applicant be requested to contact the General Manager of Solid Waste Resources, within Infrastructure, Development and Enterprise regarding options for the salvage or recycling of all demolition materials.

*VOTING IN FAVOUR: Mayor Guthrie, Councillors Allt, Bell, Billings, Downer, Gibson, Gordon, Hofland, MacKinnon, Piper, Salisbury, Van Hellemond and Wettstein (13)*

*VOTING AGAINST: (0)*

CARRIED

### **Planning Public Meeting**

Mayor Guthrie announced that in accordance with The Planning Act, Council is 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 the planning matters listed on the agenda.

#### **44, 56, 66 and 76 Arkell Road Proposed Zoning By-law Amendment (File: ZC1314), Ward 6**

Ms. Katie Nasswetter, Senior Development Planner, advised that the purpose of the application is to permit the development of ninety-one (91) residential townhouse dwelling units. She advised that the applicant have revised their application in response to public concerns and this is the second public meeting. She highlighted the special regulations proposed for the site.

Ms. Astrid Clos, on behalf of the applicant, stated this is the second public meeting due to the significant changes made to the application. She advised that an informal meeting was held with the neighbourhood that resulted in many of the changes. She highlighted the revisions made to the application with respect to reduction in the number of units and density, building height, removal of the underground parking, public amenity area and the retention of a hedge along the property boundary.

Mr. Marko Thom, neighbourhood resident, advised that the developer had worked with the neighbours and they felt their concerns were listened to. He requested that the trail along the rear of his property line be moved back slightly and that a fence be erected at the rear of his property to protect his privacy.

Mr. Hugh Whiteley requested recognition that this property is within the Arkell Springs source water protection area in the Official Plan, and requested the development and implementation of a protocol to have Water Services prepare a report specific to the needs as identified in the Arkell Springs source water protection area. He also requested that appropriate zoning be attached to the wildlife corridor to ensure long term sustainability.

Council discussion highlighted the following areas: a cumulative traffic analysis approach on potential impacts of applications along Arkell Road; clarification of how the new housing will

meet the 3% affordable housing goal; confirmation from Solid Waste Services on their ability to service the proposed development.

2. Moved by Councillor Hofland  
Seconded by Councillor Billings

That Report 15-01 regarding a proposed Zoning By-law Amendment application (File ZC1314) by Astrid J. Clos Planning Consultants to permit the development of 91 townhouse dwelling units on the properties known as 44, 56, 66 and 76 Arkell Road and legally described as Part of Lot 6, Concession 8 (formerly Township of Puslinch) City of Guelph and Lots 3, 4, 5 and 6, Registered Plan 514, City of Guelph, from Infrastructure, Development and Enterprise dated February 9, 2015, be received.

*VOTING IN FAVOUR: Mayor Guthrie, Councillors Allt, Bell, Billings, Downer, Gibson, Gordon, Hofland, MacKinnon, Piper, Salisbury, Van Hellemond and Wettstein (13)*

*VOTING AGAINST: (0)*

CARRIED

### **265 Edinburgh Road North – Proposed Zoning By-law Amendment (File: ZC1411) – Ward 3**

Ms. Lindsay Sulatycki, Senior Development Planner, advised that the purpose of the application was to permit the development of service commercial uses on the subject property. She advised that the applicant applied to the Committee of Adjustment to sever a portion of the property and received provisional consent being granted subject to the property being rezoned. She highlighted the permitted uses under the proposed service commercial zoning, but advised the final uses are not known at this time.

Ms. Nancy Shoemaker, on behalf of the applicant, provided a brief history of the subject property. She requested that the City not impose cash-in-lieu of parkland as the property uses have not changed. She further requested that if cash-in-lieu is required, that it be imposed at the site plan approval stage when the land is being developed.

Council discussion highlighted concern with the liquor store use adjacent to a school property and clarification of the cash-in-lieu of parkland requirement.

3. Moved by Councillor Allt  
Seconded by Councillor Piper

That Report 15-10 regarding a proposed Zoning By-law Amendment application (File: ZC1411) by Black, Shoemaker, Robinson and Donaldson Limited on behalf of the Wellington Catholic District School Board to permit the development of service commercial uses for the property municipally known as 265 Edinburgh Road North and legally described as Part of Lots 4, 5, 6 and 7, Range '4', Division 'A', City of Guelph from Infrastructure, Development and Enterprise dated February 9, 2015, be received.

*VOTING IN FAVOUR: Mayor Guthrie, Councillors Allt, Bell, Billings, Downer, Gibson, Gordon, Hofland, MacKinnon, Piper, Salisbury, Van Hellemond and Wettstein (13)*

*VOTING AGAINST: (0)*

CARRIED

**30 and 65 Hanlon Creek Boulevard – Proposed Official Plan Amendment and Zoning By-law Amendment (Files: OP1403 and ZC1412) – Ward 6**

Ms. Lindsay Sulatycki, Senior Development Planner, advised that the purpose of the application was to add specialized service commercial and office uses to the subject property. She highlighted the current uses permitted and the proposed uses.

Ms. Astrid Clos, on behalf of the applicant, suggested that it was the intent when planning the business park to include a service commercial area, but it was decided to include that particular zoning at a later date. She further advised Official Plan Amendment 48 includes policies for service commercial uses. The requested vehicle gas bar and car wash are in addition to what is included in OPA 48 and their uses are being reviewed by the applicant. She stated that the applicant met with the Public Liaison Committee who expressed their concern with these proposed additional uses.

Mr. Bill Luftman of Guelph Lands Holdings Inc., the applicant, provided clarification on the potential use of district energy.

Mr. Hugh Whiteley was present on behalf of Laura Murr, who expressed concern with the proposed vehicle gas bar and car wash use. He expressed concern that these uses are not appropriate for the site as there could be potential risk to the source water.

Ms. Kathy White questioned if the Township of Puslinch was circulated this application.

Council discussion highlighted potential impact to the tax rate; impact on the city's original uses of the Hanlon Creek Business Park; ground water contamination and impact of containment/retention tanks.

4. Moved by Councillor Billings  
Seconded by Councillor Salisbury

That Report 15-11 regarding applications to amend the Official Plan and Zoning By-law by Astrid J. Clos Planning Consultants on behalf of Guelph Land Holdings Inc. to add specialized service commercial and office uses on the properties municipally known as 30 and 65 Hanlon Creek Boulevard, and legally described as Blocks 1 and 2, Registered Plan 61M-176, City of Guelph, from Infrastructure, Development and Enterprise dated February 9, 2015, be received.

*VOTING IN FAVOUR: Mayor Guthrie, Councillors Allt, Bell, Billings, Downer, Gibson, Gordon, Hofland, MacKinnon, Piper, Salisbury, Van Hellemond and Wettstein (13)*

*VOTING AGAINST: (0)*

CARRIED

**By-laws**

5. Moved by Councillor Bell  
Seconded by Councillor Billings

That By-laws Numbered (2015)-19849 to (2015)-19862, inclusive, are hereby passed.

*VOTING IN FAVOUR: Mayor Guthrie, Councillors Allt, Bell, Billings, Downer, Gibson, Gordon, Hofland, MacKinnon, Piper, Salisbury, Van Hellemond and Wettstein (13)*

*VOTING AGAINST: (0)*

CARRIED

**Notice of Motion**

Councillor Allt gave notice that he will be presenting a motion to a subsequent meeting of City Council with respect to affirming its support of the long form census.

Councillor Van Hellemond gave that notice that he will be presenting a motion to a subsequent meeting of City Council with respect to reconsideration of the Trail Master Plan with respect to the Speedvale Avenue Bridge.

**Adjournment (8:40 p.m.)**

6. Moved by Councillor Gordon  
Seconded by Councillor Allt

That the meeting be adjourned.

CARRIED

*Minutes to be confirmed on March 23, 2015.*

---

Mayor Guthrie

---

City Clerk

**PART A: DRAFT PLAN OF SUBDIVISION CONDITIONS**

"THAT the application by GSP Group on behalf of Debrob Investments Limited for approval of a proposed Draft Plan of Residential Subdivision applying to property municipally known 55 and 75 Cityview Drive North and legally described as Part of Lots 25, 31 and 32, Registered Plan 53 and Part of Lot 4, Concession 3, Division "C", City of Guelph, be approved, subject to the following conditions:

**CITY CONDITIONS**

1. That this approval applies only to the draft plan of subdivision prepared by GSP Group., Project No. 13165.40, dated July 30, 2014, as shown on Attachment 5, including road widenings and reserves.

**Conditions to be met prior to grading and site alteration**

2. The Developer shall complete a **tree inventory, preservation and compensation plan**, satisfactory to the General Manager of Planning Services, in accordance with the City of Guelph By-law (2010)-19058, prior to any tree removal, grading or construction on the site
3. The Developer shall obtain a **site alteration permit** in accordance with City of Guelph By-law (2007)-18420 to the satisfaction of the City Engineer if grading/earthworks is to occur prior to entering into the subdivision agreement.
4. The Developer shall prepare and implement a **construction traffic access and control plan** for all phases of servicing and building construction to the satisfaction of the City Engineer. Any costs related to the implementation of such a plan shall be borne by the Developer.
5. The Developer agrees that no work, including, but not limited to **tree removal, grading or construction**, will occur on the lands until such time as the Developer has obtained written permission from the City Engineer or has entered into a subdivision agreement with the City.
6. The Developer shall enter into an **Engineering Services Agreement** with the City, satisfactory to the City Engineer.
7. The Developer shall prepare an overall **site drainage and grading plan**, satisfactory to the City Engineer, for the entire subdivision. Such a plan will be used as the basis for a detailed lot grading plan to be submitted prior to the issuance of any building permit within the subdivision.
8. The Developer shall construct, install and maintain **erosion and sediment control** facilities, satisfactory to the City Engineer, in accordance with a plan that has been submitted to and approved by the City Engineer.
9. The Developer shall retain a qualified **environmental inspector**, satisfactory to the City, 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. The environmental inspector shall report on their findings to the City.
10. The Developer shall submit a detailed **Storm Water Management Report and Plans** to the satisfaction of the City Engineer which shows how storm water will be controlled and conveyed to the receiving water body. The report and plans shall address the issue of water quantity and quality in accordance with recognized best management practices, Provincial Guidelines, the City's "Design Principles for Storm Water Management Facilities" and the Storm Water Management Design Report for the applicable watershed. Maintenance and operational requirements for any control and/or conveyance facilities must be described. Prior to any grading or site alteration or execution of the subdivision agreement, the Developer shall satisfy the City with respect to managing the expected high groundwater conditions. The Developer is advised that basements and underground parking may not be permitted in this development.



11. The Developer shall ensure that any **domestic wells located within the lands be properly decommissioned** in accordance with current Ministry of the Environment Regulations and Guidelines to the satisfaction of the City Engineer. Any **boreholes** drilled for hydrogeological or geotechnical investigations must also be properly abandoned.
12. The Developer shall prepare an off-site private well monitoring program to the satisfaction of the City and shall implement the program to the satisfaction of the City. The program will be used for pre-development during construction and post-development monitoring.
13. The Developer shall **stabilize all disturbed soil** within 90 days of being disturbed, control all noxious weeds and keep ground cover to a maximum height of 150 mm (6 inches) until the release of the development agreement on the block/lot so disturbed.
14. The Developer acknowledges that the City does not allow **retaining walls higher than 1.0 metre** abutting existing residential properties without the permission of the City Engineer.
15. The Developer shall prepare an **Environmental Implementation Report (EIR)** based on terms of reference approved by the City and Grand River Conservation Authority (GRCA).
  - a. The EIR will provide details with respect to stormwater management and wetland water balance mitigation, detailed tree management plans including compensation plans, detailed habitat management plans for the invasive species removal area, detailed plans for the removal of small wetland areas including bio-salvages as appropriate, detailed landscape plans (by an accredited landscape architect), an up to date wetland limit, education and stewardship information, detailed mitigation plans to support the trail and detailed trail design, a salt management plan, a monitoring plan with identified thresholds as well as any other information to implement recommendations from the Scoped Environmental Impact Study dated August 2014. As well, the EIR will include grading, drainage and erosion and sediment control plans, baseline data to inform the effectiveness monitoring program and will address the Environmental Advisory Committee motion from October 8, 2014 and the Grand River Conservation Authority comments from their letter dated October 23, 2014.
  - b. The Developer shall complete a Tree Inventory, Preservation and Compensation Plan, satisfactory to the General Manager of Planning Services and in accordance with the City of Guelph Bylaw (2010)-19058 prior to any grading, tree removal or construction on the site.
  - c. The Developer will undertake a post-development monitoring program as detailed in the Environmental Implementation Report to the satisfaction of the General Manager of Planning Services. The Developer shall provide the City with a letter of credit to cover the City approved cost estimate for the post-development monitoring program to the satisfaction of the General Manager of Planning.

The Developer shall implement all recommendations of the EIR to the satisfaction of the City and GRCA.

16. The Developer acknowledges and agrees that the suitability of the land for the proposed uses is the responsibility of the landowner. The Developer shall retain a qualified consultant to prepare a **Phase 1 Environmental Site Assessment** and any other subsequent phases required, in accordance with Ontario Regulation 153/04, to assess any real property to be conveyed to the City to ensure that such property is free of contamination. If contamination is found, the consultant will determine its nature and the requirements for its removal and disposal at the Developer's expense. Prior to the registration of the plan, the consultant shall certify that all properties to be conveyed to the City are free of contamination.

17. If contamination is found, the Developer shall:
- a. submit all environmental assessment reports prepared in accordance with the **Record of Site Condition** (O. Reg. 153/04) describing the current conditions of the land to be conveyed to the City and the proposed remedial action plan to the satisfaction of the City;
  - b. complete any necessary remediation work in accordance with the accepted remedial action plan and submit certification from a Qualified Person that the lands to be conveyed to the City meet the Site Condition Standards of the intended land use; and
  - c. file a Record of Site Condition (RSC) on the Provincial Environmental Registry for lands to be conveyed to the City
18. 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.

**Conditions to be met prior to execution of subdivision agreement**

19. That any dead ends and open sides of road allowances created by the draft plan be terminated in **0.3 metre reserves**, which shall be conveyed to the City at the expense of the Developer.
20. The Developer shall have **engineering drawings** and final reports prepared for the approval of the City Engineer.
21. With the exception of any share determined by the City to be the City's share in accordance with Its by-laws and policies, the Developer is responsible for the total **cost of the design and construction of all municipal services** within and external to the subdivision that are required by the City to service the lands within the plan of subdivision including such works as sanitary facilities, storm facilities, water facilities, walkways and road works including sidewalks, boulevards and curbs, with the distance, size and alignment of such services to be determined by the City, including reconstruction of Cityview drive to an urban standard. This includes the Developer paying 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. This also includes the Developer paying a share of the cost of left turn lanes at the Grange/Cityview intersection and Starwood/Keating/Fleming intersection.
22. The Developer shall submit a **Geotechnical Report** to the satisfaction of the City Engineer which describes the potential impacts of groundwater and provides recommendations for pavement design and pipe bedding.
23. The Developer shall pay the cost of supplying and erecting **street name and traffic control signs** in the subdivision, to the satisfaction of the City.
24. The Developer shall prepare a **street tree planting plan** and implement such plan to the satisfaction of the City Engineer.
25. The Developer shall pay to the City the cost of installing **bus stop pads** at locations to be determined by Guelph Transit.
26. The Developer shall provide an **On-Street Parking Plan** for the subdivision to the satisfaction of the City Engineer.

27. The **site plans for all corner building lots**, as determined by the City, shall be submitted to the City for approval of driveway location.
28. The Developer shall pay the cost of the installation of one Second Order **Geodetic Benchmark** within the proposed subdivision to the satisfaction of City Engineer.
29. The Developer shall install, at no cost to the City, **chain link fencing** to demarcate private lot lines along the park blocks and walkway blocks and rear lot lines along protected Open Space/Natural Areas. The Developer further agrees that the fencing will be installed following grading operations of the subdivision in accordance with the current standards and specification of the City and to the satisfaction of the General Manager of Parks and Recreation. Further, all property lines must be accurately surveyed and clearly marked in the field prior to establishing all fence line locations. Fences shall be erected directly adjacent to the established property line within the City owned lands.
30. The Developer shall be responsible for the cost of design and development of the "**Basic Park Development**" according to the City of Guelph's current "Specifications for Basic Parkland Development", which includes clearing, grubbing, site grading and surface drainage, topsoil and sodding for any phase containing a park block to the satisfaction of the General Manager of Parks and Recreation. The Developer shall provide the City with **cash or letter of credit** to cover the City approved estimate for the cost of the Basic Park Development to the satisfaction of the General Manager of Parks and Recreation.
31. The Developer shall be responsible for the cost of design and development of the **demarcation** of all lands conveyed to the City in accordance with the City of Guelph Property Demarcation Policy. This shall include the submission of drawings for approval by the City and the administration of the construction contract up to the end of the warrantee period by an Ontario Association of Landscape Architects (OALA) member to the satisfaction of the General Manager of Parks and Recreation. The Developer shall provide the City with **cash or letter of credit** to cover the City approved estimate for the cost of development of the demarcation for the City lands to the satisfaction of the General Manager of Parks and Recreation.
32. The Developer shall be responsible for the cost of design and implementation of the **Open Space Works and Restoration** in accordance with the "Environmental Implementation Report" to the satisfaction of the General Manager of Parks and Recreation. This shall include the submission of drawings and the administration of the construction contract up to the end of the warrantee period completed by a full member of Ontario Association of Landscape Architects (OALA) for approval to the satisfaction of the General Manager of Parks and Recreation. The Developer shall provide the City with **cash or letter of credit** to cover the City's estimate for the cost of the Open Space works and restoration for the City lands to the satisfaction of the General Manager of Parks and Recreation.
33. The Developer shall be responsible for the design of the **Pedestrian/ Multi-use Trail System** for the Open Space Blocks. This shall include identifying the trail system, detailed design including interpretative signage and submitting drawings to be completed by an Ontario Association of Landscape Architects (OALA) member to the satisfaction of the General Manager of Parks and Recreation and the City Engineer. This shall include the submission of drawings completed by a full member of Ontario Association of Landscape Architects (OALA) for approval to the satisfaction of the General Manager of Parks and Recreation.
34. The Developer shall provide Infrastructure, Development and Enterprise with a **digital file** in AutoCAD - DWG format or DXF format containing the as built information: parcel fabric, street network, grades and contours and landscaping of the park, trails, open space and storm water management blocks.

35. The Developer agrees to provide **temporary signage** describing the existing/proposed park, open space, trail and required fencing on all entrance signs for the development, at the street frontage of the park blocks and open space and entrance/exits of trails, to the satisfaction of the General Manager of Parks and Recreation. The signage shall:
- advise prospective purchasers of dwellings in the area of the type of park, open space and/or trail and level of maintenance of these parcels of land by the City;
  - clearly state that the maintenance of the park block and/or trail are the responsibility of the Developer until such time as the City accepts the park and/or trail, and partially releases the associated Letter of Credit; and
  - clearly state that all questions relating to the maintenance of the park block and/or trail shall be directed to both Developer and the City.
- The signage shall be erected when rough grading on and adjacent to the building lots has begun and must be maintained by the Developer until acceptance of the Blocks by the City. The Developer further agrees that the proposed Park Block, Open Space Block, trails and fencing be identified on any marketing or promotional material.
36. The Developer shall dedicate **Block 123 and Block 124** for park purposes in accordance with the provisions of City of Guelph By-law (1989)-13410, as amended by By-law (1990)-13545, By-Law (2007- 18225) or any successor thereof.
37. The Developer shall submit a **geotechnical investigations report**, prepared by a geotechnical engineer certifying that all fill placed on the Parkland has adequate structural capacity to support play structures, swings, pathways, paved courts, sun shelter and other park elements that require footings and foundations, to the satisfaction of the General Manager of Parks and Recreation. This report shall include the following information; block number, locations of test pits, depth of topsoil and fill and top elevations of fill.
38. The Developer shall provide a written **topsoil test report** from a recognized laboratory confirming topsoil compliance with the Parks Planning specifications. The testing shall include, but is not limited to nutrient levels, organic content, heavy metals and pesticides/herbicides (such as Atrazine).
39. The Developer shall submit a report prepared by registered OALA full member **certifying that the landscape work and property demarcation** work have been constructed in accordance with the approved Landscape Plan and Parks Planning Specifications. This report shall be accompanied by 'As Built' Landscape Plan stamped by the registered OALA full member. The Developer shall also submit the as-built Landscape Plan in AutoCAD format to the satisfaction of the General Manager of Parks and Recreation.
40. The Developer shall implement the recommendations contained in the **Heritage Impact Assessment** conducted for 75 Cityview Drive North, dated March 25, 2011 and address the resolution of Heritage Guelph at their meeting held June 14, 2011 by incorporating the stone gateposts into the ultimate site development of Block 122, with the site being designed so that the posts frame the main pedestrian entrance from Cityview Drive.
41. The Developer shall **phase the subdivision** to the satisfaction of the City. Such phasing shall conform to the current Development Priorities Plan.
42. The Owner acknowledges and agrees that the dwelling units on the subject site will be constructed to a standard that promotes energy efficiency in order to comply with the **Community Energy Initiative**, to the satisfaction of the City in accordance with the letter attached as Attachment 11 from Infrastructure, Development and Enterprise Report 15-03 dated February 9, 2015

**Conditions to be met prior to registration of the plan**

43. The Developer shall obtain approval of the City with respect to the availability of **adequate water supply and sewage treatment capacity**, prior to the registration of the plan, or any part thereof.
44. The Developer shall enter into a **Subdivision Agreement**, to be registered on title, to the satisfaction of the City Solicitor, which includes all requirements, financial and otherwise to the satisfaction of the City of Guelph.
45. That the **road allowances** included in the draft plan be shown and dedicated at the expense of the Developer as public highways and that prior to the registration of any phase of the subdivision, the City shall receive a letter from the O.L.S. preparing the plan that certifies that the layout of the roads in the plan conforms to the City's "Geometric Design Criteria – July 23, 1993".
46. That all **easements, blocks and rights-of-way** required within or adjacent to the proposed subdivision be conveyed clear of encumbrance to the satisfaction of the City of Guelph, Guelph Hydro Electric Systems Inc. and other Guelph utilities. Every Transfer Easement shall be accompanied by a Postponement, satisfactory to the City Solicitor, for any mortgage, charge or lease and such Postponement shall be registered on title by the City at the expense of the Developer.
47. The Developer shall pay any **outstanding debts** owed to the City.
48. The Developer shall pay **development charges** to the City in accordance with By-law Number (2014) - 19692, 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.
49. The Developer shall erect and maintain **signs** at specified entrances to the subdivision showing the proposed land uses and zoning of all the 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 Planning Services, City Hall". The signs shall be resistant to weathering and vandalism.
50. The Developer shall place the following **notifications** in all offers of purchase and sale for all lots and/or dwelling units and agrees that these same notifications shall be placed in the City's subdivision agreement to be registered on title:
  - a. "Purchasers and/or tenants of specified lots are advised that sump pumps will be required for every lot unless a gravity outlet for the foundation drain can be provided on the lot in accordance with a certified design by a Professional Engineer. Furthermore, all sump pumps must be discharged to the rear yard."
  - b. "Purchasers and/or tenants of specified lots are advised that their roof downspout and foundation drain is connected to a foundation storm service on the lot in accordance with a certified design by a Professional Engineer. Disconnection of the roof downspout is not permitted."
  - c. "Purchasers and/or tenants of all lots or units are advised that if any fee has been paid by the purchaser to the Developers for the planting of trees on City boulevards in front of residential units does not obligate the City nor guarantee that a tree will be planted on the boulevard in front or on the side of a particular residential dwelling."
  - d. "Purchasers and/or tenants of all lots or units located in the subdivision plan, are advised prior to the completion of home sales, of the time frame during which Schedule 1

construction activities may occur, and the potential for residents to be inconvenienced by construction activities such as noise, dust, dirt, debris, drainage and construction traffic”.

- e. “Purchasers and/or tenants of all lots or units are advised that Street B and Keating Street will be extended at some future date when the adjacent lands are developed”
- f. “Purchasers and/or tenants of all lots or units are advised that Street D will be extended at some future date when the adjacent lands are developed”.
- g. “Purchasers and/or tenants of all lots or units abutting City owned lands are advised that abutting City owned lands may be fenced in accordance with the current standards and specifications of the City”.
- h. “Purchasers and/or tenants of all lots or units abutting City owned lands are advised that no private gates will be allowed into Blocks 123, 124 and 125”.
- i. “Purchasers and/or tenants of all lots or units are advised that a public trail will be installed or exists abutting or in close proximity to Lots 1-28 and that public access to this trail will occur between Lots 6-9 and 10 and between Lots 25 and 26” and to the south of Lot 1.
- j. “Purchasers and/or tenants of all lots are advised that the Open Space Block has been retained in its natural condition. Be advised that the City will not carry out regular maintenance such as grass cutting. Periodic maintenance may occur from time to time to support the open space function and public trail system”.
- k. “Purchasers and/or tenants of all lots are advised that the Park Block has been designed for active public use and may include sportsfields, playgrounds, trails and other park amenities. Be advised that the City may carry out regular maintenance such as grass cutting. Periodic maintenance may also occur from time to time to support the park functions”.
- l. “Purchasers and/or tenants of all lots or units are advised that the boundaries of the open space, walkway and park blocks will be demarcated in accordance with the City of Guelph Property Demarcation Policy. This demarcation will consist of black vinyl chain link fence. The Developer shall also send written notification of proposed demarcation types to any existing homeowners in lots adjacent to open space, walkway and park blocks”.

- 51. The Developer agrees to eliminate the use of any **covenants that would restrict the use of clotheslines** and that prior to the registration of all or any portion of the plan, the Developer’s lawyer shall certify to the General Manager of Planning Services that there are no restrictive covenants which restrict the use of clotheslines.
- 52. The Developer shall ensure that all **telephone service and cable TV service** in the plan shall be underground. The Developer shall enter into a servicing agreement with the appropriate service providers to provide for the installation of underground utility services for the Lands.
- 53. The Developer shall ensure that **street lighting** and underground wiring shall be provided throughout the subdivision at the Developer's expense and in accordance with the policies of the City of Guelph and Guelph Hydro Electric Systems Inc.
- 54. 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**.

55. The Developer shall pay to the City, the total cost of reproduction and distribution of the **Guelph Residents Environmental Handbook**, to all future residents within the plan, with such payment based on a cost of one handbook per residential dwelling unit as determined by the City.
56. The Developer shall ensure that the accumulated sediment in the **Valleyhaven stormwater management pond** is removed and the pond landscaping is implemented, all to the satisfaction of the City Engineer, prior to registration of the portion of the plan that drains into the Valleyhaven pond.
57. The Developer shall submit a **Traffic Impact Study** addendum to the satisfaction of the City Engineer and shall implement the recommendations of the Study to the satisfaction of the City Engineer.
58. The Developer shall provide a **servicing easement** in favour of the Upper Grand District School Board to accommodate the external overland flow from the William C. Winegard Public School site to a positive outlet.
59. The Developer shall obtain the **external property requirements** necessary to construct Street D to Starwood Drive to the satisfaction of the City.
60. The Developer acknowledges and agrees that **no development shall occur on Part Blocks 127, 128, 129 and 130** until they are consolidated with adjacent properties to the satisfaction of the City.

**Conditions to be met prior to the issuance of a building permit**

61. All **Stage 1 Services** are to be constructed to the satisfaction of the City Engineer.
62. The Developer shall provide the City with written confirmation from the Engineering Department of **Guelph Hydro** that the subdivision hydro servicing has been completed to the satisfaction of Guelph Hydro.
63. The Developer shall submit a report prepared by a Professional Engineer to the satisfaction of the Chief Building Official certifying that all **fill** placed below proposed building locations has adequate structural capacity to support the proposed building. All fill placed within the allowable zoning bylaw envelope for building construction shall be certified to a maximum distance of 30 metres from the street line. This report shall include the following information; lot number, depth of fill, top elevation of fill and the area approved for building construction from the street line.
64. 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 in accordance with applicable provisions contained in the Ontario Building Code.

**AGENCY CONDITIONS:**

65. That prior to any 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**:
- i. A detailed storm water management report in accordance with the 2003 Ministry of Environment 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.

- ii. 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.
  - iii. Detailed lot grading and drainage plans showing existing and proposed grades.
  - iv. An Environmental Implementation Report (EIR) to the satisfaction of the Grand River Conservation Authority in consultation with the City. The EIR should include the above noted reports, monitoring and mitigation outlined in these reports.
  - v. A Development, Interference with Wetlands and Alterations to Shorelines and Watercourses permit under Ontario Regulation 150/06 for any proposed works within the regulated area.
66. That the subdivision agreement between the owners and the municipality contain provisions for:
- a) The completion and maintenance of the works in accordance with the approved plans and reports contained in Condition 65.
67. The Owner shall be required to grant **CN an environmental easement** for operational noise emissions, registered on title to lots within 300 metres of the railway property line.
68. The Developer shall ensure that all **telephone service and cable TV service** in the plan shall be underground. The Developer shall enter into a servicing agreement with the appropriate service providers to provide for the installation of underground utility services for the Lands.
69. The Developer and the **Wellington Catholic School Board** shall reach an agreement regarding the supply and erection of signage, at the developer's expense, affixed to the subdivision sign advising potential Separate School supporters of the location of schools serving the area and the current practice of busing students outside the immediate area should schools in the area be at capacity.
70. 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.
71. The Developer agrees to **supply and erect a chain link fence**, at the developer's expense and according to the Board's specifications, where future residential lots/blocks abut land owned by the **Upper Grand District School Board**.
72. The Developer agrees in the subdivision agreement to **advise all purchasers** of residential units and/or renters of same, by inserting the following clause in all offers of Purchase and Sale/Lease, until such time as a permanent school is assigned:
- "Whereas the Upper Grand District School Board has designated this subdivision as a Development Area for the purposes of school accommodation, and despite the best efforts of the Upper Grand District School Board, sufficient accommodation may not be available for all anticipated students from the area, you are hereby notified that students may be accommodated in temporary facilities and/or bused to a school outside the area, and further, that students may in future have to be transferred to another school.
73. The Developer and the **Upper Grand District School Board** shall reach an agreement regarding the supply and erection of a sign (at the developer's expense and according to Upper Grand District School Board specifications) affixed to the permanent development sign advising perspective residents that students may be directed to schools outside the neighbourhood.



74. Prior to the registration of the first phase of development, the Developer shall pay the **Upper Grand District School Board** the costs of opening the chain link fence along the boundary of the William C. Winegard Public School property where it abuts Street B to provide pedestrian access to the school site from Street B.
75. Subject to the approved phasing of the subdivision, the Developer shall pay the City costs of installing and maintaining temporary hard surface walkways within the necessary road allowances in the subdivision to allow future students to access the adjacent school site, to the satisfaction of the City and the **Upper Grand District School Board**.
76. 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.

**NOTES:** That this **Draft Plan Approval shall lapse** at the expiration of 3 years from the date of issuance of Draft Plan approval.

That prior to the registration of all or any portion of the plan, the **Grand River Conservation Authority** shall advise the City in writing how conditions 65 and 66 have been satisfied.

That prior to the registration of all or any portion of the plan, the **Wellington Catholic District School Board** shall advise the City in writing how condition 69 has been satisfied.

That prior to the registration of all or any portion of the plan, **Upper Grand District School Board** shall advise the City in writing how conditions 70-75 have been satisfied.

That prior to the registration of all or any portion of the plan, **Guelph Hydro Electric Systems Inc**, shall advise the City in writing how conditions 53 and 62 have been satisfied.

That prior to the registration of all or any portion of the plan, **Canada Post** shall advise the City in writing how condition 76 has been satisfied.

That prior to the registration of all or any portion of the plan, the **Ministry of Citizenship, Culture and Recreation** shall advise the City in writing how condition 18 has been satisfied.

**PART B: ZONING REGULATIONS**

"That the Zoning By-law amendment application be approved and that City Staff be instructed to prepare the necessary amendment to Zoning By-law Number (1995)-14864, as amended, to transfer the subject lands from the UR (Urban Reserve) Zone, as follows:

<b>LOTS/BLOCKS</b>	<b>LAND USE</b>	<b>ZONING</b>
Future Development Block 126	<b>Single Detached Residential</b> Min Lot Frontage - 9 m	R.1D
Lots 58-68, 76-85, 93-116	<b>Single Detached Residential</b> Min Lot Frontage - 9 m	R.1D-?
Lots 1-55	<b>Single Detached Residential</b> Min Lot Frontage – 12 m	R.1C-?
Lots 56-57, Future Development Blocks 128-130	<b>Semi-Detached/Single Detached Residential</b> Min Lot Frontage – 9.5 m	R.2-6
Lots 69-75, 86-92	<b>Semi-Detached Residential</b> Min Lot Frontage – 7.5 m	R.2
Blocks 118, 119	<b>On-Street Townhouse Residential</b> Min Lot Frontage – 6 m	R.3B
Blocks 120	<b>Multiple Unit Residential</b>	R.3A-?
Block 121, 122	<b>Multiple Unit Residential</b>	R.4A-?
Blocks 123, 124	<b>Neighbourhood Park</b>	P.2
Block 125	<b>Conservation Land</b>	P.1
Block 126	<b>Wetland</b>	WL