



**Minutes of Guelph City Council
Held in the Council Chambers, Guelph City Hall on
Monday, February 10, 2014 at 6:00 p.m.**

Attendance

Council: Mayor Farbridge
Councillor B. Bell
Councillor L. Burcher (*arrived at 6:04 p.m.*)
Councillor T. Dennis
Councillor I. Findlay
Councillor J. Furfaro
Councillor Guthrie
(*arrived at 7:00 p.m.*)

Councillor Hofland
Councillor G. Kovach
Councillor M. Laidlaw
Councillor L. Piper
Councillor A. Van Hellemond
Councillor Wettstein
(*arrived at 7:02 p.m.*)

Staff: Ms. A. Pappert, Chief Administrative Officer
Mr. M. Amorosi, Executive Director, Corporate & Human Resources
Mr. D. Thomson, Executive Director, Community & Social Services
Mr. A. Horsman, Executive Director, Finance & Enterprise
Ms. J. Laird, Executive Director, Planning & Building, Engineering and Environment
Mr. D. McCaughan, Executive Director, Operations, Transit & Emergency Services
Mr. T. Salter, General Manager, Planning Services
Mr. D. Mast, Associate Solicitor
Ms. T. Agnello, Deputy Clerk
Ms. D. Black, Council Committee Coordinator

Call to Order (6:00 p.m.)

Mayor Farbridge called the meeting to order.

Authority to Resolve into a Closed Meeting of Council

1. Moved by Councillor Piper
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) (e) and (f) of the *Municipal Act* with respect to litigation or potential litigation and advice that is subject to solicitor-client privilege.

CARRIED

Closed Meeting (6:01 p.m.)

Disclosure of Pecuniary Interest and General Nature Thereof

There were no disclosures.

The following matters were considered:

**C.2014. 3 16 Whispering Ridge Drive and 92 Harvard Road Upcoming Ontario
Municipal Board Hearing A-115/13 and A-116/13**

C.2014. 4 12 Wyndham Street North – Upcoming Municipal Board Hearing A-75/13

Rise from Closed Meeting (6:09 p.m.)

Council recessed.

Open Meeting (7:00 p.m.)

Mayor Farbridge called the meeting to order.

Disclosure of Pecuniary Interest and General Nature Thereof

Councillor Furfaro disclosed a pecuniary interest regarding the Brownfield and Downtown Community Improvement Plan (CIP) Tax Increment Based Grant Applications – 5 Arthur Street South because he owns property across the street from the subject property.

Consent Reports

Governance Committee First Consent Report

Balance of Governance Committee Consent Items

2. Moved by Councillor Findlay
Seconded by Councillor Dennis

That the balance of the February 10, 2014 Governance Committee First Consent Report as identified below, be adopted:

GOV-2013.15 Downtown Guelph Business Association

1. That the by-law amending By-laws Number (1981)-10773, (1995)-14281 and (2011)-19143 relating to the Downtown Business Improvement Area is enacted in the form attached to the Legal & Realty Services Report Number CHR-2013–43 dated September 16, 2013.

VOTING IN FAVOUR: Mayor Farbridge, Councillors Bell, Burcher, Dennis, Findlay, Furfaro, Guthrie, Hofland, Kovach, Laidlaw, Piper, Van Hellemond and Wettstein (13)

VOTING AGAINST: (0)

CARRIED

Council Consent Agenda

The following items were extracted:

- | | |
|--------------------|--|
| CON-2014.8 | 150-152 Wellington Street East – Proposed Zoning By-law Amendment (File: ZC1308) – Ward 1 |
| CON-2014.9 | Proposed Administrative Amendment to Zoning By-law Number (1995)-14864 (Guelph’s Comprehensive Zoning By-law) - Citywide |
| CON-2014.12 | 12 Brownfield and Downtown Community Improvement Plan (CIP) Tax Increment Based Grant Application – 5 Arthur Street South |

Balance of Council Consent Items

3. Moved by Councillor Hofland
Seconded by Councillor Burcher

That balance of the February 10, 2014 Consent Agenda as identified below, be adopted:

CON-2014.7 12 Summerfield Drive – Proposed Zoning By-law Amendment (File: ZC1311 – Ward 6

1. That the application by Acorn Development Corporation, on behalf of Fabbian Homes Inc. for approval of a Zoning By-law Amendment from the R.1B (Residential Single Detached) Zone to the R.1D (Single Detached Residential) Zone to permit the development of two (2) single detached dwellings at the property municipally known as 12 Summerfield Drive and legally described as Lot 2, Registered Plan 61M-114 City of Guelph, be approved in accordance with the zoning regulations and conditions outlined in Schedule 1 attached hereto.

CON-2014.10 City of Guelph Response to the Provincial Review of the Land Use Planning and Appeal System

1. That Report 14-02 from Planning, Building, Engineering and Environment, dated February 10, 2014 regarding the Provincial Review of the Land Use Planning and Appeal System be received.
2. That the complete technical response prepared by staff that was submitted to the Ministry of Municipal Affairs and Housing, dated January 10, 2014, and included as Attachment 1 to the submission be endorsed.
3. That the City Clerk be directed to inform the Ministry of Municipal Affairs and Housing that the complete technical response dated January 10, 2014 has been endorsed by Council.

CON-2014.11 Proposed Demolition of 12 Inkerman Street – Ward 3

1. That Report 14-09 regarding the proposed demolition of a detached dwelling at 12 Inkerman Street, legally described as Plan 555, Lot 2, Part Lot 1; City of Guelph, from Planning, Building, Engineering and Environment dated December 2, 2013 be received.
2. That the existing detached dwelling at 12 Inkerman Street North be removed from the Municipal Register of Cultural Heritage Properties.
3. That the proposed demolition of the detached dwelling at 12 Inkerman Street be approved.
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 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 Planning, Building, Engineering and Environment regarding options for the salvage or recycling of all demolition materials.
6. **That the applicant be requested to consider the recommendations of Heritage Guelph from their meeting of November 13, 2013.**

CON-2014.13 Planning & Building, Engineering and Environment Committee, and Corporate Administration, Finance and Enterprise Committee 2014 Membership Change

1. That Councillor Laidlaw's membership to the Planning, Building, Engineering and Environment Committee be revoked and that she be appointed to the Corporate Administration, Finance and Enterprise Committee effective immediately for the year 2014.
2. That Councillor Wettstein's membership to the Corporate Administration, Finance and Enterprise Committee be revoked and that he be appointed to the Planning, Building, Engineering and Environment Committee effective immediately for the year 2014.

CON-2014.14 2014 Development Charges By-law – Administrative Adjustment

1. That Council approve the administrative amendment to the section of the 2014 Development Charges By-law related to the Timing of Payment of Development Charges as shown in Schedule 2 attached hereto.
2. That Council assign By-law number (2014)-19692 to the 2014 Development Charges By-Law.
3. **That Council has determined in accordance with Section 12(3) of the Development Charges Act, that no further public meetings are necessary under Section 12 of the Development Charges Act in connection with any amendments to the proposed 2014 DC By-law set out in Report Number FIN-14-13 which were made following the public meeting held January 27, 2014.**

CON-2014.4 Development Charge, Provincial Consultation

1. That the report FIN-14-03 Development Charge, Provincial Consultation, dated January 27, 2014 regarding the City's feedback to the Province's request for feedback on the Development Charge Act, 1997 be approved.

Correspondence Received from LUMCO/AMO Regarding Joint and Several Liability

1. That the correspondence received from LUMCO/AMO Regarding Joint and Several Liability be received.
2. **That the Mayor be directed to send the Attorney General the letter of support as attached to the correspondence received from LUMCO/AMO regarding the government's consideration and adoption of measures which limit the punishing impact of joint and several liability on municipalities.**

VOTING IN FAVOUR: Mayor Farbridge, Councillors Bell, Burcher, Dennis, Findlay, Furfaro, Guthrie, Hofland, Kovach, Laidlaw, Piper, Van Hellemond and Wettstein (13)

VOTING AGAINST: (0)

CARRIED

Extracted Items

CON-2014.8 150-152 Wellington Street East – Proposed Zoning By-law Amendment (File: ZC1308) – Ward 1

Mr. Christ DeVriendt, Senior Development Planner, advised the applicant is proposing to rezone the property to permit the proposed 18 storey mixed use building. The exceptions requested are that the angular plane requirements would not apply, that access to the rear yard requirement not apply, to permit a rear yard, side yard and front yard of 0 metres and to permit a building coverage of 100%.

Mr. Tom Lammer, Guelph Developer, expressed support of the proposal. He believes the unique project will bring people to the neighbourhood and will produce good results.

Ms. Krista Walkey, on behalf of the applicant, advised the building will be 18 storeys with 144 units and will have underground parking. She noted that the development being proposed does not require an Official Plan Amendment. She noted that traffic calming will be addressed through the site plan process.

Mr. Michael Hannay, on behalf of the applicant, addressed the features of the development including the use of tempered glass, increased setbacks, and 3 to 1 replacement of trees on the property with landscaping. He noted that the parking structure height is less than a storey difference from the adjacent property and as such drainage should not be an issue.

Mr. Alan Patton, referred to his letter of February 5th and noted a concern regarding the financial competitiveness of the development. He stated that Tricar has a reasonable expectation of incentives for this building to be similar to those provided for their development on Macdonell Street and those incentives will be needed to complete the project.

4. Moved by Councillor Burcher
Seconded by Councillor Laidlaw
 1. That Report 14-07 regarding a Zoning By-law Amendment application by Stantec Consulting Ltd. on behalf of The Tricar Group, for approval of a Zoning By-law Amendment from the CBD.2-1 (Specialized Central Business District) Zone to a CBD.2-? (Specialized Central Business District) Zone to permit the development of an 18-storey mixed use building for the property municipally known as 150-152 Wellington Street East, and legally described as Pt Grist Mill Lands, Plan 8, Pt 2, 61R1309, Pt School Lot, Plan 8, Pt Surrey Street, Plan 379, Pt 3, 61R1309, closed by ROS178965; Pt Lot 5, Plan 269, City of Guelph, be approved in accordance with the zoning regulations and conditions outlined in Attachment 2 of Planning, Building, Engineering and Environment Report 14-07 dated February 10, 2014.
 2. 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 150-152 Wellington Street East.

VOTING IN FAVOUR: Mayor Farbridge, Councillors Bell, Burcher, Dennis, Findlay, Furfaro, Guthrie, Hofland, Kovach, Laidlaw, Piper, Van Hellemond and Wettstein (13)

VOTING AGAINST: (0)

CARRIED

CON-2014.12 Brownfield and Downtown Community Improvement Plan (CIP) Tax Increment Based Grant Applications – 5 Arthur Street South

Councillor Furfaro did not discuss or vote on the matter.

Mayor Farbridge provided context for this application in relation to the grant application funds.

Mr. Ian Panabaker, Manager, Downtown Renewal, explained how the grant allocation would be applied to this development. He noted that the funding would come from both the downtown and brownfield grant programs and will apply to three buildings. He advised the funding would cover a ten year period.

Mr. Tom Lammer, Guelph Developer, requested Council give further consideration to the determination of grant projects. He is concerned about how projects will be handled in the future. He requested Council defer their decision until further consultation with stakeholders and the Downtown Advisory Group and research could occur. He suggested that two of the three buildings be given an allocation of money which would leave an allocation for the shovel ready Tricar project.

Mr. Patton deferred his delegation to Mr. Adam Carapella, Vice President of Tricar.

Mr. Carapella stated their development was done in anticipation of receiving funds. He noted that requests for staff assistance with their application was not quickly forthcoming. He questioned why the application did not go through committee before coming to Council as their previous application did. He requested Council reconsider the allocation of funds to be fair and equitable to all parties, such as funding for the first two buildings for the 5 Arthur Street project and leaving some monies for others. He also suggested transferring money from other incentives to allow for the shovel ready projects in the downtown to move forward. He advised that they would require 4 to 4.7 million to be able to proceed.

Mr. Lee Piccoli, representing 5 Arthur Street South, provided details regarding the timing of the development. He stated that they believe their project can be completed in 5-7 years and the grants represent the last requirement to move forward. He noted that consultation has been successful to date and the revised plans were received with enthusiasm from all involved. He believes their development will bring financial and socio-economic benefits. He noted the grants are essential to the 5 Arthur Street development and they plan to proceed with a site plan in February and a full launch in May.

Main Motion

5. Moved by Councillor Dennis
Seconded by Councillor Hofland
 1. That the application by 5 Arthur Street Developments, 2278560 Ontario Inc. for a Tax Increment-Based Grant (TIBG) pursuant to the Brownfield Redevelopment Community Improvement Plan and applying to 5 Arthur Street South, be approved with an upset limit of \$3,121,305.
 2. That \$2,319,694 of Brownfield TIBG Reserve Funds be reallocated to the Downtown TIBG Reserve Funds.
 3. That the application by 5 Arthur Street Developments, 2278560 Ontario Inc. for a Tax Increment-Based Grant pursuant to the Downtown Guelph Community Improvement Plan and applying to 5 Arthur Street South, be approved with an upset limit of \$8,566,117.
 4. That staff be directed to finalize Brownfield and Downtown Tax Increment-Based Grant agreements between the City and 5 Arthur Street Developments, 2278560 Ontario Inc., or any subsequent owner, as described in this report to the satisfaction of the General Manager of Planning Services; Corporate Manager, Downtown Renewal; the City Solicitor; and the City Treasurer.

First Amendment

6. Moved by Councillor Findlay
Seconded by Councillor Wettstein
 1. That staff be directed to respond to the next application (Tricar) received in sequence within the remaining funds allocated across the TIBG reserves and provide their recommendation to committee.
 2. That staff include options for the replenishment and/or continuation of TIBG programs reserve funding within the Guelph Economic Investment Fund discussions occurring over Q1.2 2014.

VOTING IN FAVOUR: Mayor Farbridge, Councillors Bell, Burcher, Dennis, Findlay, Guthrie, Hofland, Kovach, Laidlaw, Piper, Van Hellemond and Wettstein (12)

VOTING AGAINST: (0)

CARRIED

Main Motion as Amended

7. Moved by Councillor Dennis
Seconded by Councillor Hofland
 1. That the application by 5 Arthur Street Developments, 2278560 Ontario Inc. for a Tax Increment-Based Grant (TIBG) pursuant to the Brownfield Redevelopment Community Improvement Plan and applying to 5 Arthur Street South, be approved with an upset limit of \$3,121,305.

2. That \$2,319,694 of Brownfield TIBG Reserve Funds be reallocated to the Downtown TIBG Reserve Funds.
3. That the application by 5 Arthur Street Developments, 2278560 Ontario Inc. for a Tax Increment-Based Grant pursuant to the Downtown Guelph Community Improvement Plan and applying to 5 Arthur Street South, be approved with an upset limit of \$8,566,117.
4. That staff be directed to finalize Brownfield and Downtown Tax Increment-Based Grant agreements between the City and 5 Arthur Street Developments, 2278560 Ontario Inc., or any subsequent owner, as described in this report to the satisfaction of the General Manager of Planning Services, the Corporate Manager, Downtown Renewal, the City Solicitor, and the City Treasurer.
5. **That staff be directed to respond to the next application (Tricar) received in sequence within the remaining funds allocated across the TIBG reserves and provide their recommendation to committee.**
6. **That staff include options for the replenishment and/or continuation of TIBG programs reserve funding within the Guelph Economic Investment Fund discussions occurring over Q1.2 2014.**

VOTING IN FAVOUR: Mayor Farbridge, Councillors Bell, Burcher, Dennis, Findlay, Guthrie, Hofland, Kovach, Laidlaw, Piper, Van Hellemond and Wettstein (12)

VOTING AGAINST: (0)

CARRIED

CON-2014.9 Proposed Administrative Amendment to Zoning By-law Number (1995) – 14864 (Guelph’s Comprehensive Zoning By-law) - Citywide

Ms. Katie Nasswetter, Senior Development Planner, noted that the addendum to the amendment provided for this meeting addresses the concerns provided by Mr. Cheeseman and rectifies an oversight and is in keeping with the intent of the amendments.

8. Moved by Councillor Dennis
 Seconded by Councillor Hofland
1. That Report 14-08 regarding a proposed administrative amendment to Zoning By-law Number (1995)-14864, from Planning, Building, Engineering and Environment dated February 10, 2014, be received.
2. That the City-initiated administrative amendments to the Zoning By-law be approved in accordance with the regulations set out in Attachment 1 of the report from Planning, Building, Engineering and Environment dated February 10, 2014, **as amended to include the following additional regulation:**

5.1.3.4.45.2.4 Maximum Driveway (Residential) Width

Despite Section 4.13.7.2.1, for Lots that are 12 metres wide or greater, a Driveway (Residential) shall be permitted to be a maximum of 6 metres in width.

VOTING IN FAVOUR: Mayor Farbridge, Councillors Bell, Burcher, Dennis, Findlay, Furfaro, Guthrie, Hofland, Kovach, Laidlaw, Piper, Van Hellemond and Wettstein (13)

VOTING AGAINST: (0)

CARRIED

By-laws

9. Moved by Councillor Furfaro
Seconded by Councillor Bell

1. That By-laws numbered (2014) - 19691 to (2014) - 19695, inclusive, are hereby passed.

Development Charges By-law (2014)-19692 was pulled for discussion.

Council discussion ensued regarding the benefits and disadvantages of splitting the commercial and industrial development charge rates versus instituting a blended rate.

Mr. Horsman, Executive Director, Finance and Enterprise, noted that all statutory criteria have been met for consultation and deliberations. He advised that if the rates were split, the industrial rate would increase and notifications would be required. Staff recommended the blended rate as it removes issues regarding definition of commercial versus industrial, provides rate certainty and allows the City to be in keeping with our comparators.

First Amendment

10. Moved by Councillor Guthrie
Seconded by Councillor Bell

1. That the Development Charges By-law (2014)-19692 be amended to split the rates to set the Industrial Development Charge at \$6.55 per square foot and the Commercial Development Charge at \$12.62 per square foot.

VOTING IN FAVOUR: Councillors Bell, Furfaro, Guthrie, Kovach, and Van Hellemond (5)

VOTING AGAINST: Mayor Farbridge, Councillors Burcher, Dennis, Findlay, Hofland, Laidlaw, Piper and Wettstein (8)

DEFEATED

By-laws

9. Moved by Councillor Furfaro
Seconded by Councillor Bell

That By-laws numbered (2014) - 19691 to (2014) - 19695, inclusive, are hereby passed.

VOTING IN FAVOUR: Mayor Farbridge, Councillors Burcher, Dennis Findlay, Furfaro, Hofland, Kovach, Laidlaw, Piper and Wettstein (10)

VOTING AGAINST: Councillors Bell, Guthrie, and Van Hellemond (3)

CARRIED

Mayor's Announcements

The Mayor announced that at the closing luncheon for the Guelph United Way Campaign the City received the bronze participation award, was nominated for the campaign of the year, and our Campaign Manager, Dawn Hamilton was given the Hero award for her efforts.

Adjournment (9:43 p.m.)

11. Moved by Councillor Findlay
Seconded by Councillor Dennis

That the meeting be adjourned.

CARRIED

Minutes to be confirmed on March 31, 2014.

Mayor Farbridge

Deputy Clerk

Recommended Zoning Regulations and Conditions

The property affected by the Zoning By-law Amendment application is municipally known as 12 Summerfield Drive and legally described as Lot 2, Registered Plan 61M-114, City of Guelph.

PROPOSED ZONING

The following zoning is proposed for the subject site:

R.1D (Single Detached Residential) Zone

In accordance with Section 5.1 of Zoning By-law (1995)-14864, as amended.

PROPOSED CONDITIONS

The following conditions are provided as information to Council and will be imposed through an agreement with the City registered on title for the subject site:

1. The Owner shall pay **development charges** to the City in accordance with By-law Number (2009)-18729, 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.
2. The Owner shall pay to the City **cash-in-lieu of park land dedication** for the severed lands in accordance with By-law (1989)-13410, By-law (1990)-13545 and By-law (2007)-18225, as amended from time to time, or any successor thereof, prior to building permit.
3. The Owner shall pay to the City, the City's total cost of reproduction and distribution of the **Guelph Residents' Environmental Handbook**, to all future homeowners or households within the project, with such payment based on a cost of one handbook per residential dwelling unit, as determined by the City, prior to the issuance of any building permit for the lands.
4. The Owner shall submit a **site plan** to, and have it be approved by the General Manager of Planning Services and the City Engineer, prior to the issuance of a building permit for the new dwellings that indicates:
 - a. The location and design of the new dwellings;
 - b. All trees on the subject property, including the extent of their canopies that may be impacted by the development. Any trees within the City boulevard must also be shown, including appropriate protective measures to maintain them throughout the development process. The plan should identify trees to be retained, removed and/or replaced and the location and type of appropriate methods to protect the trees to be retained during all phases of construction;

- c. The location of the new dwellings with a setback that is in character with the surrounding area;
 - d. Grading, drainage and servicing information.
5. The Owner shall prepare **elevation and design drawings** for the new dwelling on the severed and retained parcel and shall submit and have the elevation drawings approved by the General Manager of Planning Services, prior the issuance of a building permit for the new dwellings in order for staff to ensure that the design of the new dwelling respects the character of the surrounding neighbourhood in all aspects including the proposed massing, building setbacks and the size and location of any proposed garage.
 6. The Owner shall not remove any vegetation during the **breeding bird season** (May-July), as per the *Migratory Bird Act*.
 7. The Owner shall install any required **tree protection fencing** on-site and have the fencing inspected by staff to the satisfaction of the General Manager of Planning Services, prior to the issuance of a building permit.
 8. The Owner shall completely **demolish and remove the existing foundation** on the subject lands, prior to endorsation of the deeds of consent B-51/13.
 9. The Owner shall **pay the actual cost** of constructing a **new 25 mm diameter water service lateral** to the proposed retained lands and may require the removal and replacement of the existing water service lateral to the severed lands, including the cost of any curb cuts or curb fills required, with the estimated cost of the works as determined necessary by the General Manager/City Engineer being paid prior to the issuance of a building permit.
 10. The Owner shall **pay the actual cost** of the installation of an individual **private forcemain and grinder pump system** for the proposed retained lands prior to the issuance of a building permit and the design and installation of such system is to meet the requirements of the Ontario Building Code, to the satisfaction of the Chief Building Official.
 11. The Owner shall **pay the actual cost** of the construction of the **new driveway entrances** including the required **curb cuts and/or curb fills**, with the estimated cost of the works as determined necessary by the General Manager/City Engineer being paid, prior to the issuance of any building permit.
 12. The Owner shall **pay the actual cost** of the **removal of the existing concrete** within the road allowance from the area of the existing driveway entrance, the **restoration of the boulevard** with topsoil and sod including any required curb fill, with the estimated cost of the works as determined necessary by the General Manager/City Engineer being paid, prior to the issuance of a building permit.

13. A legal off-street **parking space** shall be created on the subject lands at a minimum setback of 6 metres from the property line at the street.
14. The Owners of the proposed dwellings on the subject lands (Lot 2, Registered Plan 61M-114) shall be responsible for the maintenance and **protection of the existing drywell**.
15. The Owner shall **grade, develop and maintain** the site in accordance with a Site Plan that has been submitted to and approved by the General Manager/City Engineer.
16. The Owner shall make satisfactory arrangements with the Technical Services Department Guelph Hydro Electric Systems Inc. for the installation of **underground hydro service** to the proposed new dwellings on the lands, prior to the issuance of a building permit, and that all modifications to the existing hydro servicing on Summerfield Drive is to be at the Owner's expense.
17. The Owner shall maintain a **minimum distance** of 3.0 metres between any dwelling units and pad-mounted **transformers**, and a minimum distance of 1.5 metres between any driveways/entrances and **street light poles** and pad-mounted transformers.
18. The Owner shall make satisfactory arrangements with **Union Gas** for the servicing of the lands, as well as provisions for any easements and/or rights-of-way for their plants, prior to the issuance of any building permits.
19. The Owner shall ensure that all **telephone service and cable TV service** on the lands shall be underground. The Owner shall enter into a servicing agreement with the appropriate service providers for the installation of underground utility services, prior to the issuance of any building permits.
20. Prior to the endorsonation of the deeds for consent B-51/13, the Owner shall enter into an **agreement with the City**, registered on title, satisfactory to the City Solicitor and the General Manager/City Engineer, covering the conditions noted above and to develop the site in accordance with the approved plans.