

Council Caucus Room
February 22, 2010 6:30 p.m.

A meeting of Guelph City Council.

Present: Mayor Farbridge, Councillors Bell, Billings, Farrelly, Findlay, Hofland, and Wettstein

Absent: Councillors Beard, Burcher, Kovach, Laidlaw, Piper and Salisbury

Staff Present: Mr. H. Loewig, Chief Administrative Officer; Mr. D. McCaughan, Director of Operations; Ms. M. Neubauer, Director of Finance; Ms. L.E. Payne, Director of Corporate Services/City Solicitor; Mr. J. Riddell, Director of Community Design and Development Services; Ms. T. Agnello, Deputy Clerk; and Ms. J. Sweeney, Council Committee Co-ordinator

- 1. Moved by Councillor Billings
Seconded by Councillor Hofland

THAT the Council of the City of Guelph now hold a meeting that is closed to the public with respect to:

Litigation or Potential Litigation

S. 239 (2) (e) Litigation or potential litigation, including matters before administrative tribunals.

Citizen Appointments to the Board of Commissioners Guelph General Hospital

S. 239 (b) Personal matters about identifiable individuals.

Carried

The meeting adjourned at 6:31 o'clock p.m.

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Mayor

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Deputy Clerk

Council Caucus Room
February 22, 2010 6:32 p.m.

A meeting of Guelph City Council closed to the public.

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

Absent: Councillor Beard

Staff Present: Mr. H. Loewig, Chief Administrative Officer; Mr. D. McCaughan, Director of Operations; Ms. M. Neubauer, Director of Finance; Ms. L.E. Payne, Director of Corporate Services/City Solicitor; Mr. J. Riddell, Director of Community Design and Development Services; Ms. T. Agnello, Deputy Clerk; and Ms. J. Sweeney, Council Committee Co-ordinator

DECLARATIONS UNDER MUNICIPAL CONFLICT OF INTEREST ACT

There were no declarations.

Litigation or Potential Litigation, including matters before Administrative Tribunals

PASSED IN COUNCIL
BY SPECIAL
RESOLUTION

- 1. Moved by Councillor Findlay
Seconded by Councillor Bell
THAT Report 10-15 regarding Official Plan Amendment 39 Growth Plan Conformity Amendment Minutes of Settlement on Appeal by Silvercreek Guelph Developments Limited dated February 22, 2010, be received.

Carried

Personal Matters about Identifiable Individuals

REPORT

- 2. Moved by Councillor Billings
Seconded by Councillor Kovach
THAT Council confirms the appointment of Allan MacInnis to the Board of Commissioners Guelph General Hospital for a four (4) year term expiring November 2013;

AND THAT Council confirms the appointment of Peter Routly to the Board of Commissioners Guelph General Hospital for a one year term expiring November 2010.

Carried

The meeting adjourned at 6:40 o'clock p.m.

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Mayor

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Deputy Clerk

Council Chambers
February 22, 2010

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

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

Absent: Councillor Beard

Staff Present: Mr. H. Loewig, Chief Administrative Officer; Chief S. Armstrong, Director of Emergency Services; Mr. D. McCaughan, Director of Operations; Ms. M. Neubauer, Director of Finance; Ms. A. Pappert, Director of Community Services; Ms. L.E. Payne, Director of Corporate Services/City Solicitor; Mr. J. Riddell, Director of Community Design and Development Services; Mr. D. Wyman, Manager of Solid Waste Resources; Ms. T. Agnello, Deputy Clerk; and Ms. J. Sweeney, Council Committee Co-ordinator

DECLARATIONS UNDER MUNICIPAL CONFLICT OF INTEREST ACT

There was no declaration of pecuniary interest.

- 1. Moved by Councillor Laidlaw
Seconded by Councillor Kovach

THAT the minutes of the Council meetings held on January 25, February 1 and 8, 2010 and the minutes of the Council meeting held in Committee of the Whole on January 19, 25 and February 8, 2010 be confirmed as recorded and without being read.

VOTING IN FAVOUR: Councillors Bell, Billings, Burcher, Farrelly, Findlay, Hofland, Kovach, Laidlaw, Piper, Salisbury, Wettstein and Mayor Farbridge (12)

VOTING AGAINST: (0)

Carried

CONSENT REPORTS AND AGENDAS

Councillor Piper presented the Community Development & Environmental Services Committee Second Consent Report.

2. Moved by Councillor Piper
Seconded by Councillor Burcher

THAT the February 22, 2010 Community Development & Environmental Services Committee Second Consent Report as identified below, be adopted:

a) **Sign By-law Variance for 2 Tiffany Street East**

Mr. J. Riddell
Mr. B. Poole

THAT Report 10-07, regarding a sign variance for 2 Tiffany Street East from Community Design and Development Services, dated February 16, 2010, be received;

AND THAT the request for a variance from the Sign By-law for 2 Tiffany Street East to permit one freestanding sign and two window signs for a home occupation at a residentially zoned property in lieu of the by-law requirement that does not permit signage for home occupations, be approved.

VOTING IN FAVOUR: Councillors Bell, Billings, Burcher, Farrelly, Findlay, Hofland, Kovach, Laidlaw, Piper, Salisbury, Wettstein and Mayor Farbridge (12)

VOTING AGAINST: (0)

Carried

The following item was extracted from the Emergency Services, Community Services & Operations Committee First Consent Report to be voted on separately:

- ECO- 1) Work Plan – South End Community Centre

Councillor Billings presented the balance of the Finance, Administration & Corporate Services Committee First Consent Report.

3. Moved by Councillor Billings
 Seconded by Councillor Burcher
 THAT the February 22, 2010 Finance, Administration & Corporate Services Committee First Consent Report as identified below, be adopted:

a) **Revised Schedule of Council Meetings**

Mrs. L.A. Giles

THAT the revised schedule of Council meetings for 2010, attached hereto as Schedule 1, be approved.

b) **Business Licence By-law: Housekeeping Amendments**

Mrs. L.A. Giles

THAT a by-law to amend the business licensing by-law for the purpose of housekeeping matters be approved.

VOTING IN FAVOUR: Councillors Bell, Billings, Burcher, Farrelly, Findlay, Hofland, Kovach, Laidlaw, Piper, Salisbury, Wettstein and Mayor Farbridge (12)

VOTING AGAINST: (0)

Carried

The following item was extracted from the Governance Committee First Consent Report to be voted on separately:

- GOV-1 Discretionary Positions of Auditor General, Lobbyist Registrar and Ombudsman

Councillor Laidlaw presented the First Report of the Social Services & Housing Committee.

4. Moved by Councillor Laidlaw
 Seconded by Councillor Kovach

Ms. M. Neubauer

THAT the Social Services Committee recommend to Council that stable funding be maintained in 2010 for the City's portion of discretionary Social Services Programs at the following budget amounts, as recommended by the County:

1. Ontario Works	\$ 590,000
2. Child Care Services	\$ 464,000
3. Housing Services	<u>\$ 53,000</u>
	\$1,107,000

AND THAT, where it is practical to do so, and does not reduce provincial subsidy, payments for discretionary grants and programs be made directly to grant recipients and agencies by the City of Guelph;

AND THAT City staff report back on changes required to scope of the Guelph Investment Strategy so that the Strategy may now include consideration of the discretionary programs and services;

AND THAT City staff be directed to provide further information regarding a process to explore options and impacts of changing Provincial policy and Provincial funding on the delivery of municipally supported child care services for City residents.

VOTING IN FAVOUR: Councillors Bell, Billings, Burcher, Farrelly, Findlay, Hofland, Kovach, Laidlaw, Piper, Salisbury, Wettstein and Mayor Farbridge (12)

VOTING AGAINST: (0)

Carried

Councillor Kovach presented the Council as Committee of the Whole Second Consent Report.

5. Moved by Councillor Kovach
Seconded by Councillor Laidlaw

THAT the February 22, 2010 Council as Committee of the Whole Second Consent Report as identified below, be adopted:

a) **Citizen Appointments to the Board of Trustees of the Elliott**

Mrs. L.A. Giles

THAT Council confirms the appointment of Claudia Runciman to the Board of Trustees for the Elliott for a three year term expiring November 2012;

AND THAT Council confirms the reappointment of E.J. Stross and John Stoddard to the Board of Trustees for the Elliott for a one year term expiring November 2010;

AND THAT Council confirms the appointment of John Schitka to the Board of Trustees for the Elliott for a one year term expiring November 2010.

VOTING IN FAVOUR: Councillors Bell, Billings, Burcher, Farrelly, Findlay, Hofland, Kovach, Laidlaw, Piper, Salisbury, Wettstein and Mayor Farbridge (12)

VOTING AGAINST: (0)

Carried

Consent Agenda

The following item was extracted from the February 22, 2010 Consent Agenda to be voted on separately:

- A-1 Central Library Work Plan

6. Moved by Councillor Billings
Seconded by Councillor Burcher

THAT the balance of the February 22, 2010 Council Consent Agenda as identified below, be adopted:

- a) **265 Watson Parkway North (Walkover Property) - Requested Draft Plan of Subdivision Extension (File 23T-06501) – Ward 1**

Black, Shoemaker
Mr. J. Riddell
Ms. L.E. Payne

THAT Report 10-10 regarding a request for the extension of Draft Plan Approval for 265 Watson Parkway North (Draft Plan 23T-06501) from Community Design and Development Services, dated February 22, 2010, be received;

AND THAT the application by Black, Shoemaker, Robinson and Donaldson Limited for a six (6) month extension of the Draft Plan Approval for 265 Watson Parkway North (Walkover Property), applying to lands legally described as Part Lot 6, Concession 3, Div 'C' in the city of Guelph, be approved to a lapsing date of September 1, 2010, subject to the conditions outlined in attached Schedule 2.

VOTING IN FAVOUR: Councillors Bell, Billings, Burcher, Farrelly, Findlay, Hofland, Kovach, Laidlaw, Piper, Salisbury, Wettstein and Mayor Farbridge (12)

VOTING AGAINST: (0)

Carried

Councillor Findlay presented Clause 1 that was extracted from the Emergency Services, Community Services & Operations Committee First Consent Report.

Work Plan – South End Community Centre

7. Moved by Councillor Findlay
Seconded by Councillor Farrelly

THAT Community Services Report, #CS-AD-1004 'Work Plan – South End Community Centre' dated February 16, 2010, be received;

AND THAT staff proceed with Phase One: Preliminary Partnership Assessment and Development Options for a future South End Community centre utilizing internal staff resources and report back to Council on their progress as outlined in Report #CS-AD-1004.

8. Moved in Amendment by Councillor Billings
Seconded by Councillor Burcher

THAT staff report back to Council before the next budget, outlining the funding sources and potential options for this project, including when we started collecting development charges and how much we have collected for the South End Recreation Centre.

VOTING IN FAVOUR: Councillors Bell, Billings, Burcher, Farrelly, Findlay, Hofland, Kovach, Laidlaw, Piper, Salisbury, Wettstein and Mayor Farbridge (12)

VOTING AGAINST: (0)

Carried

9. Moved by Councillor Findlay
Seconded by Councillor Farrelly

Ms. A. Pappert
Ms. M. Neubauer

THAT Community Services Report, #CS-AD-1004 'Work Plan – South End Community Centre' dated February 16, 2010, be received;

AND THAT staff proceed with Phase One: Preliminary Partnership Assessment and Development Options for a future South End Community centre utilizing internal staff resources and report back to Council on their progress as outlined in Report #CS-AD-1004;

AND THAT staff report back to Council before the next budget, outlining the funding sources and potential options for this project, including when we started collecting development charges and how much we have collected for the South End Recreation Centre.

VOTING IN FAVOUR: Councillors Bell, Billings, Burcher, Farrelly, Findlay, Hofland, Kovach, Laidlaw, Piper, Salisbury, Wettstein and Mayor Farbridge (12)

VOTING AGAINST: (0)

Carried

Councillor Burcher presented Clause 1 that was extracted from the Governance Committee First Consent Report.

Discretionary Positions of Auditor General, Lobbyist Registrar and Ombudsman

10. Moved by Councillor Burcher
Seconded by Councillor Piper

THAT the report of the Director of Information Services/Clerk concerning discretionary positions under the accountability & transparency provisions of the Municipal Act, be received;

AND THAT the need for the appointment of the discretionary positions of Auditor General, Lobbyist Registrar and Ombudsman be re-visited during the next term of Council.

11. Moved by Councillor Wettstein
Seconded by Councillor Hofland

THAT the matter with respect to the discretionary positions of Auditor General, Lobbyist Registrar and Ombudsman under the accountability & transparency provisions of the Municipal Act be referred back to the Governance Committee for further discussion.

VOTING IN FAVOUR: Councillor Wettstein (1)

VOTING AGAINST: Bell, Billings, Burcher, Farrelly, Findlay, Hofland, Kovach, Laidlaw, Piper, Salisbury and Mayor Farbridge (11)

Defeated

12. Moved by Councillor Burcher
Seconded by Councillor Piper

Mrs. L.A. Giles

THAT the report of the Director of Information Services/Clerk concerning discretionary positions under the accountability & transparency provisions of the Municipal Act, be received;

AND THAT the need for the appointment of the discretionary positions of Auditor General, Lobbyist Registrar and Ombudsman be re-visited during the next term of Council.

VOTING IN FAVOUR: Councillors Bell, Billings, Burcher, Farrelly, Findlay, Hofland, Kovach, Laidlaw, Piper, Salisbury, Wettstein and Mayor Farbridge (12)

VOTING AGAINST: (0)

Carried

Councillor Burcher presented Clause 1 that was extracted from the February 22, 2010 Consent Report.

Central Library Work Plan

Ms. A. Pappert
Ms. K. Hannah
Ms. M. Neubauer
Ms. L.E. Payne

13. Moved by Councillor Burcher
Seconded by Councillor Findlay
THAT Community Services Report #CS-AD-1002 entitled "Central Library work Plan" be received;

AND THAT staff are authorized to undertake Step One: Program & Functional Plan for the Guelph Central Library project as outlined in Report #CS-AD-1002 utilizing resources from the Library Relocation Capital Reserve #157 and Library Development Charges Reserve Fund # 316 to a maximum expenditure of \$175,000, and that Council approves an amendment to the 2010 approved Capital budget to reflect this direction;

AND THAT staff be authorized to issue a Purchase Order and execute a contract with the successful bidder, with Mayor and Clerk authorized to sign all documents, subject to the satisfaction of the City Solicitor.

VOTING IN FAVOUR: Councillors Bell, Burcher, Farrelly, Findlay, Hofland, Laidlaw, Piper, Salisbury, Wettstein and Mayor Farbridge (10)

VOTING AGAINST: Councillors Billings and Kovach (2)

Carried

SPECIAL RESOLUTION

Official Plan Amendment 39 Growth Plan Conformity Amendment – Minutes of Settlement on Appeal by Silvercreek Guelph Developments Limited (35 & 40 Silvercreek Parkway South)

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

14. Moved by Councillor Findlay
Seconded by Councillor Bell
THAT the Mayor and Clerk be authorized to execute the attached Minutes of Settlement, in the matter of OMB File No. PL091176;

AND THAT Council authorize appropriate City representatives to attend and participate in any Ontario Municipal Board proceedings, as necessary, in support of the Minutes of Settlement.

VOTING IN FAVOUR: Councillors Bell, Billings, Burcher, Farrelly, Findlay, Hofland, Kovach, Laidlaw, Wettstein and Mayor Farbridge (10)

VOTING AGAINST: Councillors Piper and Salisbury (2)

Carried

BY-LAWS

It was requested that By-law Numbers (2010)-18951 and (2010)-18952 be voted on separately.

15. Moved by Councillor Piper
Seconded by Councillor Findlay
THAT By-laws Numbered (2010)-18951 and (2010)-18952, are hereby passed.

VOTING IN FAVOUR: Councillors Bell, Burcher, Farrelly, Findlay, Hofland, Laidlaw, Piper, Salisbury, Wettstein and Mayor Farbridge (10)

VOTING AGAINST: Councillors Billings and Kovach (2)

Carried

16. Moved by Councillor Piper
Seconded by Councillor Findlay
THAT By-laws Numbered (2010)-18944 to (2010)-18950 and (2010)-18953 to (2010)-18954, inclusive, are hereby passed.

VOTING IN FAVOUR: Councillors Bell, Billings, Burcher, Farrelly, Findlay, Hofland, Kovach, Laidlaw, Piper, Salisbury, Wettstein and Mayor Farbridge (12)

VOTING AGAINST: (0)

Carried

NOTICE OF MOTION

Councillor Farrelly advised that at the next meeting of Council, she will be presenting a notice of motion with respect to Guelph Non-Profit Housing and specifically Paisley Place.

ADJOURNMENT

The meeting adjourned at 8:00 o'clock p.m.

Minutes read and confirmed March 22, 2010.

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Mayor

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Deputy Clerk

February 22, 2010
 Schedule 1

August					
Monday	Tuesday	Wednesday	Thursday	Friday	Saturday / Sunday
					1
2 John Galt Day/Civic Holiday	3 Council Planning	4	5	6	7 / 8
9 FACS GOV	10	11	12	13	14 15 AMO Conference
16 AMO Conference	17 AMO Conference	18 AMO Conference	19	20	21 / 22
23 CDES ECO	24	25	26	27	28 / 29
30 Council	31				

October					
Monday	Tuesday	Wednesday	Thursday	Friday	Saturday / Sunday
				1	2 / 3
4 Council Planning		6	7	8	9 / 10
11 Thanksgiving Day		13	14	15	16 / 17
18 Advance Vote	19	20	21	22	23 / 24
25 Election Day	26	27	28	29	30 / 31

CITY CONDITIONS:

1. That this approval applies only to the Draft Plan of Subdivision at 265 Watson Parkway North (File 23T-06501) and the redline amendment to a portion of draft plan of subdivision plan 23T-98501 prepared by Black, Shoemaker, Robinson and Donaldson Ltd. dated July 28, 2006 (project No. 04-5402-5) subject to the revisions shown in "red" on **Schedule 4** of the Community Design and Development Services report dated February 5, 2007.

Conditions to be met prior to grading and site alteration

2. That the Developer enters into an **Engineering Services Agreement** with the City, satisfactory to the City Engineer.
3. That the developer prepare a **site drainage and grading plan** for the entire subdivision, satisfactory to the City Engineer.
4. That the developer constructs, installs and maintains **erosion and sediment control** facilities, satisfactory to the City Engineer, prior to any grading or construction on the subdivision lands in accordance with a plan that has been submitted to and approved by the City Engineer. Furthermore, the developer shall provide a qualified **Environmental Inspector**, satisfactory to the City Engineer, to inspect the site during all phases of development and construction including grading, servicing and building construction. The environmental inspector shall monitor and inspect the erosion and sediment control measures and procedures, and compliance with the Environment Impact Study on a weekly or more frequent basis if required. The environmental inspector shall report on his or her findings to the City on a monthly or more frequent basis.
5. The developer shall prepare and follow an **Environmental Implementation Report** based on Terms of Reference prepared by the applicant and approved by the City and the Grand River Conservation Authority (GRCA) which includes a monitoring program to assess the performance of the storm water management facilities. Furthermore, the report shall address the information and implementation process to get details to the home owners concerning the storm sewer and storm water management process.
6. The developer shall at its expense implement and address all recommendations contained in the latest **Environmental Impact Study**, that has been approved by the City, for the subdivision, and the developer shall address each recommendation to the satisfaction of the Grand River Conservation Authority and the City. Further, that the Developer complete a **tree inventory and conservation plan** satisfactory to the Director of Community Design and Development Services.
7. That the developer shall prepare and implement a **construction traffic access and control plan** for all phases of servicing and building construction to the satisfaction of the City. All damage or maintenance required to surrounding streets as a result of such traffic shall be at the developers cost.
8. That the developer shall submit a detailed **Stormwater Management Report and Plans** to the satisfaction of the City Engineer which show how stormwater will be controlled and conveyed to the receiving water body. The report and plans shall address the issue of water quality in accordance with recognized best management practices and Provincial Guidelines.

9. That 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 subdivision agreement on the block/lot so disturbed.
10. That 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.
11. That any **domestic wells and boreholes** for hydrogeological or geotechnical investigations be properly abandoned in accordance with the current Ministry of the Environment Regulations and Guidelines to the satisfaction of the City Engineer.

Conditions to be met prior to execution of the subdivision agreement

12. That 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.
13. That the Developer agrees to pay the costs related to the installation of 1- second order, second level **Geodetic Benchmarks** in locations within the proposed subdivision to the satisfaction of the City Engineer.
14. That the developer is responsible for the total cost of the design and construction of any **road works, including sidewalks, boulevards and curbs**, within or surrounding the plan of subdivision.
15. That the developer pays the cost of supplying and erecting **street name and traffic control signs** in the subdivision, to the satisfaction of the City.
16. 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.
17. That the developer is responsible for the total **cost of the design and construction of all services** required to service all lands within the plan of subdivision, including sanitary, storm and water facilities, the distance and alignment to be determined by the City of Guelph, with such costs to include services required to service the subdivision which are located outside the limits of the subdivision.
18. That the developer pays the cost of all **existing services** within and abutting the proposed subdivision, as determined by the City Engineer. Furthermore, the developer shall be responsible for a share of the cost, as determined by the City Engineer, of the existing municipal services on Watson Parkway abutting the lands.
19. That the developer makes arrangements, satisfactory to the City Engineer concerning the **scheduling of the development** and the developer's payment of costs for services within the subdivision.
20. That the developer shall be responsible for paying **cash-in-lieu of parkland** for draft plan of subdivision 23T06501, 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 registration of the plan.

Conditions to be met prior to registration

21. That 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.
22. That the developer shall pay any **outstanding debts** owed to the City, prior to the registration of the plan.
23. That the registration of the plan, or any part thereof, shall require approval of the City with respect to **adequate water supply and sewage treatment capacity** being available, prior to the registration of the plan.
24. The developer shall pay **development charges** to the City in accordance with the City's Development Charges By-law, 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.
25. That all **easements and rights-of-way** required within or adjacent to the proposed subdivision be granted to the satisfaction of the City of Guelph, Guelph Hydro and other Guelph utilities.
26. 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.
27. That the **road allowances** included in the draft plan and the road widening for Watson Parkway (Block1), be shown and dedicated 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" with the exception of the road widths which shall comply with the widths shown on the approved draft plan of subdivision.
28. That the developer acknowledges that the suitability of the land for the proposed uses is the responsibility of the landowner. The developer 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 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.
29. That 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.
30. That the developer **deeds to the City** all lands required for the City for Storm Water Management facilities including **Block 5**. In addition, the developer shall deed to the City all Open Space Blocks, including **Blocks 3 and 6**. Furthermore, the developer shall demarcate and fence (living and/or chain link), the boundaries of all lands conveyed to the City to the satisfaction of the City Engineer and in accordance with the City of Guelph Property Demarcation Policy.

31. That the developer shall **deed Block 7 to the City** for Open Space and furthermore, that the boundary of Block 7 shall be demarcated in accordance with the City of Guelph Property Demarcation Policy.
32. That 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 submitting drawings completed by a registered Ontario Association of Landscape Architect (OALA) member for approval to the satisfaction of the Director of Planning and Development Services. The developer shall provide the City with cash or letter of credit to cover the City's estimate for the cost of the "Property Demarcation" improvements and works for the City lands to the satisfaction of the Director of Community Design and Development Services.
33. That the developer shall be responsible for the cost of design and implementation the **Open Space Restoration** in accordance with the "Environmental Implementation Report" to the satisfaction of the Director of Community Design and Development Services. 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 Restoration works for the City lands to the satisfaction of the Community Design and Development Services.
34. That the developer shall design and develop the **Storm Water Management Facility Landscaping** in accordance with the "Design Principles for Storm Water Management Facilities" to the satisfaction of the Director of Community Design and Development Services. The developer shall provide the City with cash or letter of credit to cover the City's estimate for the cost of the Storm Water Facility Landscaping to the satisfaction of the Director of Community Design and Development Services.
35. The developer shall be responsible for the cost of design of the **Pedestrian Trail System** for the Storm Water Management & Open Space Blocks. This shall include submitting drawings for approval, identifying the trail system, interpretative signage and trail design details, to the satisfaction of the Director of Community Design and Development Services.
36. That **Lot 20 be deeded to the City** and held, in accordance with the policy of the City, until the proposed street along the southeasterly boundary of the lot is extended into the abutting lands in Guelph/Eramosa Township, to the satisfaction of the City Engineer or until the lot can be developed to the satisfaction of the City Engineer.
37. 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 Development Services, City Hall". Further, the signs shall also advise that Watson Parkway will be upgraded to four lanes of traffic and may be used as a truck route.
38. That the developer shall include in the subdivision agreement and insert in all agreements of purchase and sale or lease for each dwelling unit abutting the common boundary between the City and the Township of Guelph Eramosa the following **warning clause**:
 - "The land adjacent to this subdivision is being actively farmed which includes activities such as herbicide application, nutrient application, planting and harvesting of various crops which may affect the living environment of residents living in close proximity to the farming operations."

39. That the developer agrees to place the following **notifications** in all offers of purchase and sale for all lots and/or dwelling units and in the City's subdivision agreement to be registered on title:
- “Purchasers and/or tenants all lots and units are advised that the **Stormwater Management Block** has been vegetated to create a natural setting. Be advised that the City will carry out routine maintenance such as grass cutting. Some maintenance may occur in the areas that are developed by the City for public walkways, bikeways and trails.”
 - “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.”
 - “Purchasers and/or tenants of all lots are advised that the boundaries of the open space, storm water management and park blocks will be **demarcated** in accordance with the City of Guelph Property Demarcation Policy. This demarcation will consist of living fences and property demarcation markers adjacent to the park block and black vinyl chain link fence adjacent to open space and stormwater management blocks. The developer shall also send written notification of proposed demarcation types to any existing homeowners in lots adjacent to the open space, storm water management and park blocks.”
 - “Purchasers and/or tenants of all 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 design by a Professional Engineer. Furthermore, the Developer shall ensure that all sump pumps are discharged to the rear yard and the Developer shall notify all purchasers that the discharge shall be to the rear yard.”
 - “Purchasers and/or tenants of all lots or units are advised that a transit route may be installed on Severn Drive within the subdivision at the discretion of the City. The location of such route and bus stops will be determined based on the policies and requirements of the City. Such bus stops may be located anywhere along the route, including lot frontages.”

Conditions to be met prior to issuance of a building permit

40. That any **retaining walls** required to accommodate the grading on **Lot 9** shall be designed and the construction supervised by a qualified Professional Engineer. Furthermore, the retaining wall shall be located on Lot 9 and shall be constructed at the expense of the developer, prior to the release of building permits.
41. That any **retaining walls** required to accommodate the grading on **Blocks 5 and 8** shall be designed and the construction supervised by a qualified Professional Engineer. Furthermore, the retaining wall shall be located on Blocks 5 and 8 and shall be constructed at the expense of the developer, prior to the release of building permits.
42. That the developer **obtain consents**, satisfactory to the City, from the owners and the Township authorities prior to any grading and/or filling that is required in Guelph/Eramosa Township to accommodate the grading on Lots 12 to 20 inclusive. Furthermore, all grading, filling and restoration operations in Guelph/Eramosa Township shall be completed prior to the issuance of building permits.

43. 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.
44. That the developer shall submit a report prepared by a Professional Engineer to the satisfaction of the Chief Building Official providing an opinion on the presence of **soil gases** (radon and methane) in the plan of subdivision in accordance with applicable provisions contained in the Ontario Building Code.
45. 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.
46. The Owner acknowledges and agrees that the residential townhouse units on the subject site will be constructed to an ENERGY STAR standard that promotes **energy efficiency** standards in order to comply with the Community Energy Plan, to the satisfaction of the City. This will include verification through third party certification. These requirements shall be included in the subdivision agreement.

AGENCY CONDITIONS:

47. 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 registration of the plan of subdivision.
48. That the developer and the **Wellington Catholic School Board** reach an agreement regarding the supply and erection of signage, at the developer's expense, affixed to the subdivision sign advising potential Separate School supporters of the location of schools serving the area and the current practice of busing students outside the immediate area should schools in the area be at capacity.
49. That 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.
50. That 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.
51. That 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.

52. The developer shall satisfy all requirements and conditions of **Canada Post** including advisories and suitable mailbox locations. The developer shall ensure that the eventual lot/home owner is advised in writing by the developer/subdivider/builder that Canada Post has selected the municipal easement to their lot for a Community Mail Box installation and the developer shall be responsible for the installation of concrete pads in accordance with the requirements of Canada Post, in locations to be approved by Canada Post to facilitate the placement of Community Mail Boxes. The concrete pads are to be poured at the time of curb installation within each phase of the subdivision.
53. That this **Draft Plan Approval shall lapse** at the expiration of 3 years from the date of issuance of the extension of Draft Plan approval.
54. 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 47 has been satisfied.
55. 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 48, 49 and 50 have been satisfied.
56. 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 25 and 26 have been satisfied.
57. That prior to the registration of all or any portion of the plan, **Canada Post** shall advise the City in writing how condition 51 has been satisfied.