



**Minutes of Guelph City Council  
Held in the Council Chambers, Guelph City Hall on  
Monday February 24, 2014 at 5:30 p.m.**

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**Attendance**

Council: Mayor Farbridge  
Councillor B. Bell  
Councillor T. Dennis  
Councillor I. Findlay  
Councillor J. Furfaro  
Councillor Guthrie  
Councillor Hofland  
Councillor G. Kovach  
Councillor M. Laidlaw  
Councillor A. Van Hellemond  
Councillor K. Wettstein

Absent: Councillor Burcher  
Councillor Piper

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. B. Labelle, City Clerk  
Ms. J. Sweeney, Council Committee Coordinator

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**Call to Order (5:30 p.m.)**

Mayor Farbridge called the meeting to order.

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

1. Moved by Councillor Hofland  
Seconded by Councillor Furfaro

That the Council of the City of Guelph now hold a meeting that is closed to the public, pursuant to Section 239 (2) (b), (c) and (e) of the *Municipal Act* with respect to personal matters about identifiable individuals; proposed or pending acquisition or disposition of land; and litigation or potential litigation.

CARRIED

**Closed Meeting (5:31 p.m.)**

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

There were no disclosures.

The following matters were considered:

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- C-2014. 6      Citizen Appointments to Council Remuneration – Citizen Review Committee**
- C-2014. 7      211 Arthur Street Upcoming Ontario Municipal Board Hearing**
- C-2014.8        Litigation or Potential Litigation**
- C-2014.9        Proposed or Pending Acquisition or Disposition of Land**
- C-2014.10      Report of the Community & Social Services Committee – Citizen Appointments to the Guelph Cemetery Commission**
- C-2014.11      Citizen Appointment to the Downtown Guelph Business Association**

**Rise from Closed Meeting** (6:10 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**

There were no disclosures.

**Presentations**

Mr. Michael Scott, Chief Executive Officer and Mr. Will Mueller, Oversight Analyst of Waste Diversion Ontario presented the Mayor with the Ron Lance Memorial Award in recognition of achieving the best waste diversion rate in 2012.

Mr. Stephen Robinson, Heritage Planner outlined the designation of 83 Essex Street. Mayor Farbridge presented a heritage designation plaque to Dr. Allan Brown, Vice President and Ms. Denise Francis, Secretary/Treasurer of the Guelph Black Heritage Society, owners of the property at 83 Essex Street (BME Church).

**Confirmation of Minutes**

1. Moved by Councillor Guthrie  
Seconded by Councillor Hofland

That the minutes of the Council Meeting held on January 27, 2014 and the minutes of the Closed Meeting of Council held January 27, 2014 be confirmed as recorded.

*VOTING IN FAVOUR: Mayor Farbridge, Councillors Bell, Dennis Findlay, Furfaro, Guthrie, Hofland, Kovach, Laidlaw, Van Hellemond and Wettstein (11)*

*VOTING AGAINST: (0)*

CARRIED

## **Consent Reports**

### **Audit Committee First Consent Report**

Councillor Guthrie presented the Audit Committee First Consent Report.

2. Moved by Councillor Guthrie  
Seconded by Councillor Kovach

That the February 24, 2014 Audit Committee First Consent Report as identified below, be adopted:

#### **AUD-2014.2 2014 Audit Committee Work Plan**

1. That Report FIN-14-05 2014 Audit Committee Work Plan be approved.

#### **AUD-2014.4 Internal Audit 2014 Work Plan**

1. That the recommendations in report "CAO-A-1402, Internal Audit – 2014 Work Plan be approved.

#### **AUD-2014.7 Independence Notification – External Auditor**

1. That Report FIN-14-07 Independence Notification – External Auditor be approved and that the Chair of Audit Committee be directed to confirm the continuation of services through signing the independence notification letter.

*VOTING IN FAVOUR: Mayor Farbridge, Councillors Bell, Dennis Findlay, Furfaro, Guthrie, Hofland, Kovach, Laidlaw, Van Hellemond and Wettstein (11)*

*VOTING AGAINST: (0)*

CARRIED

### **Closed Meeting of Council First Consent Report**

3. Moved by Councillor Hofland  
Seconded by Councillor Furfaro

That the February 24, 2014 Closed Meeting of Council First Consent Report as identified below, be adopted:

#### **CMC-2014.6 2014 Citizen Appointments to Council Remuneration – Citizen Review Committee**

1. THAT Alan Jarvis, Amy Kendall, Lloyd Longfield, Janet Roy and Greg Sayer be appointed to the Council Remuneration – Citizen Review Committee for a term of the mandate of the Committee.

#### **CMC-2014.10 Citizen Appointment to the Guelph Cemetery Commission**

1. That David Ralph be appointed to the Guelph Cemetery Commission for an approximate three year term commencing March 1, 2014 and ending November 30, 2016.

**CMC-2014.11 Citizen Appointment to the Downtown Guelph Business Association**

1. That Greg Elliott be appointed to the Downtown Guelph Business Association.

*VOTING IN FAVOUR: Mayor Farbridge, Councillors Bell, Dennis Findlay, Furfaro, Guthrie, Hofland, Kovach, Laidlaw, Van Hellemond and Wettstein (11)*

*VOTING AGAINST:*

CARRIED

**Community & Social Services Committee First Consent Report**

Councillor Dennis presented the Community & Social Services Committee First Consent Report.

4. Moved by Councillor Dennis  
Seconded by Councillor Van Hellemond

That the February 24, 2014 Community & Social Services Committee First Consent Report as identified below, be adopted:

**CSS-2014.3 Conceptual Master Plan for Jubilee Park**

1. That the February 11, 2014 report entitled "Conceptual Master Plan for Jubilee Park" be received.
2. That the Conceptual Master Plan for Jubilee Park, as noted in Attachment 1 of the report, be approved.
3. That staff be directed to proceed with the implementation of the Jubilee Park Conceptual Master Plan, as outlined in the report.

*VOTING IN FAVOUR: Mayor Farbridge, Councillors Bell, Dennis Findlay, Furfaro, Guthrie, Hofland, Kovach, Laidlaw, Van Hellemond and Wettstein (11)*

*VOTING AGAINST:*

CARRIED

**Corporate Administration, Finance & Enterprise Committee First Consent Report**

The following item was extracted:

**CAFE-2014.1 Budget Impacts per Ontario Regulation 284/09 & 2014 Budget PSAB Reconciliation**

**Operations, Transit & Emergency Services Committee First Consent Report**

Councillor Findlay presented the Operations, Transit & Emergency Services Committee First Consent Report.

5. Moved by Councillor Findlay  
Seconded by Councillor Furfaro

That the February 24, 2014 Operations, Transit & Emergency Services Committee First Consent Report as identified below, be adopted:

**OTES-2014.4 By-law Review - Disabled Parking By-law**

1. That the Operations, Transit & Emergency Services Committee Report OTES021404 Disabled Parking Bylaw Review dated February 4, 2014 be received.
2. That staff be directed to create a new Accessible Parking Bylaw for Council's approval based on the existing regulations within the Disabled Parking Bylaw (1984)-11440, as amended, to better reflect current legislative authorities and to update wording pursuant to Operations, Transit & Emergency Services Committee Report OTES021404 Disabled Parking Bylaw Review dated February 4, 2014.

**OTES-2014.5 Business Licence Fees 2014**

1. That the Operations, Transit & Emergency Services Committee Report # OTES021402 regarding the Business Licence Fees 2014 dated February 4, 2014 be received.
2. That staff be directed to prepare the necessary amendments to Business Licence By-law (2009)-18855, as amended, to incorporate the 2014 fees as identified in Operations, Transit & Emergency Services Committee Report #OTES021402, dated February 4, 2014.

**OTES-2014.6 Royal City Brewing Company Manufacturer's Limited Liquor Sales Licence Application**

1. That the Operations, Transit & Emergency Services Committee Report #OTES021407 dated, February 4, 2014, regarding Royal City Brewing Company's application to the Alcohol and Gaming Commission of Ontario for a Manufacturer's Limited Liquor Sales Licence be received.
2. That Guelph City Council support Royal City Brewing Company's application to the Alcohol and Gaming Commission of Ontario for a Manufacturer's Limited Liquor Sales Licence for their brewery located at 199 Victoria Rd. S. Unit 8C. as set out in Operations, Transit & Emergency Services Committee Report #OTES021407 dated, February 4, 2014.

*VOTING IN FAVOUR: Mayor Farbridge, Councillors Bell, Dennis Findlay, Furfaro, Guthrie, Hofland, Kovach, Laidlaw, Van Hellemond and Wettstein (11)*

*VOTING AGAINST:*

CARRIED

**Planning & Building, Engineering and Environment Committee First Consent Report**

The following items were extracted:

**PBEE-2014.1 Approval of Water and Wastewater Long-Range Financial Plan 017-301 (2014) as Required under Ontario Regulation 453/07**

**PBEE-2014.2 2014 Development Priorities Plan**

**Balance of Planning & Building, Engineering and Environment Committee Consent Items**

Councillor Bell presented the balance of the Planning & Building, Engineering and Environment Committee First Consent Report.

6. Moved by Councillor Bell  
Seconded by Councillor Guthrie

That the balance of the February 24, 2014 Planning & Building, Engineering and Environment Committee First Consent Report as identified below, be adopted:

**PBEE-2014.3 Outside Water Use By-law Review – Recommended Revisions and Revised By-law Approval**

1. That the report of the Executive Director of Planning, Building, Engineering and Environment dated February 3, 2014, regarding the Outside Water Use By-law Review, be received.
2. That the revisions to the Outside Water Use By-law as outlined in the report of the Executive Director of Planning, Building, Engineering and Environment, dated February 3, 2014 be approved.
3. That the revised Outside Water Use By-law, included as Attachment A to the "Outside Water Use By-law Review – Recommended Revisions and Revised By-law Approval Report" dated February 3, 2014 be approved.

**PBEE-2014.4 City Owned Property at 141 Fountain Street East – Land Exchange involving 150 Wellington Street East**

1. That report CHR-2014-04 entitled "City Owned Property at 141 Fountain Street East – Land Exchange involving 150 Wellington Street East" be received.
2. That the City Solicitor be authorized to enter into an Agreement of Purchase and Sale between the City and 150 Wellington Guelph Limited ("Tricar") for the land exchange of a portion of the City's property at 141 Fountain Street East in exchange for a portion of Tricar's property at 150 Wellington Street East on terms and conditions satisfactory to the City Solicitor and substantially in accordance with the report entitled "City Owned Property at 141 Fountain Street East – Land Exchange involving 150 Wellington Street East", dated February 3, 2014.

**PBEE-2014.5 Outstanding Motions of the Planning & Building, Engineering and Environment Committee**

1. That the report dated February 3, 2014 regarding outstanding motions of the Planning & Building, Engineering and Environment Committee, be received.

2. That the following motion, previously passed by the Planning & Building, Engineering and Environment Committee of Council, be eliminated from staff work plans and from the outstanding motion list:

November 24, 2008

WHEREAS the Municipal Act, SO 2001, c.25, Section 128, provides that a local municipality may prohibit and regulate with respect to public nuisances, including matters that, in the opinion of Council are or could become public nuisances;

AND WHEREAS it is the opinion of the Council of the City of Guelph that graffiti is a public nuisance;

AND WHEREAS the practice of placing graffiti on publicly and privately owned buildings and structures is becoming more commonplace and is at times offensive in nature;

AND WHEREAS the City of Guelph does not presently have a by-law that regulates graffiti on privately owned property;

BE IT RESOLVED THAT this issue be referred to the Council Priority Setting sessions in the spring of 2009.

*VOTING IN FAVOUR: Mayor Farbridge, Councillors Bell, Dennis Findlay, Furfaro, Guthrie, Hofland, Kovach, Laidlaw, Van Hellemond and Wettstein (11)*

*VOTING AGAINST:*

CARRIED

### **Council Consent Agenda**

The following item was extracted:

#### **CON-2014.15 95 Willow Road Proposed Zoning By-law Amendment (File ZC1316) – Ward 3**

#### **Balance of Council Consent Items**

7. Moved by Councillor Findlay  
Seconded by Councillor Hofland

That balance of the February 24, 2014 Consent Agenda as identified below, be adopted:

#### **CON-2014.16 City Owned Property at 65 Delhi Street – Former Delhi Community Centre**

1. That report CHR-2014.13 entitled "City Owned Property at 65 Delhi Street – Former Delhi Community Centre" be received.
2. That the City Solicitor be authorized to enter into an Agreement of Purchase and Sale between the City and Vesterra 55 Delhi Inc. ("Vesterra") for the sale of a portion of the City's property located at 65 Delhi (the "West Lot") on terms and conditions

satisfactory to the City Solicitor and substantially in accordance with the report entitled "City Owned Property at 65 Delhi Street – Former Delhi Community Centre", dated February 24, 2014.

**CON-2014.17 Bill 69 – Prompt Payment Act, 2013**

1. That the report titled "Bill 69 – Prompt Payment Act, 2013" dated February 24, 2014, be received for information.
2. That staff be authorized to make submissions to the Standing Committee on Regulations and Private Bills to outline the concerns with the proposed legislation as raised in this report.
3. That this report be forwarded by the Mayor to the local MPPs and the Association of Municipalities of Ontario with a covering letter.

*VOTING IN FAVOUR: Mayor Farbridge, Councillors Bell, Dennis Findlay, Furfaro, Guthrie, Hofland, Kovach, Laidlaw, Van Hellemond and Wettstein (11)*

*VOTING AGAINST:*

CARRIED

**Extracted Items**

**PBEE-2014.1 Approval of Water and Wastewater Long-Range Financial Plan 017-301 (2014) as Required under Ontario Regulation 453/07**

Mr. Peter Busatto, General Manager Water Services, provided a high level overview of the water and wastewater long-range financial plan.

Dr. Hugh Whiteley expressed concerns relating to directions this financial plan may take in the future. He questioned the dollars identified in the plan as he suggested they are not justified growth related expenditures as there is a decrease in water taking and water processing. He suggested that future presentations be based on changes to the annual water bills, and that a modest fixed rate be charged for water consumption for a household. If more water is used by a household the higher the charge, as this would be a strong incentive for conservation.

8. Moved by Councillor Bell  
Seconded by Councillor Guthrie
  1. That the report of the Executive Director of Planning, Building, Engineering and Environment dated February 3, 2014 entitled 'Approval of Water and Wastewater Long-Range Financial Plan 017-301 (2014) as Required Under Ontario Regulation 453/07' be received.
  2. That Council, as the owner of the Guelph municipal drinking water system, approves the Water and Wastewater Long-Range Financial Plan 017-301 (2014) in compliance with Ontario Regulation 453/07.
  3. That staff submit the Water and Wastewater Long-Range Financial Plan 017-301 (2014) to the Province by February 25, 2014 in compliance with Ontario Regulation 453/07.



4. That the Water and Wastewater Long-Range Financial Plan be reviewed annually and inform the development of the annual Water and Wastewater Non-Tax Supported budgets presented to Council.

*VOTING IN FAVOUR: Mayor Farbridge, Councillors Bell, Dennis Findlay, Furfaro, Guthrie, Hofland, Kovach, Laidlaw, Van Hellemond and Wettstein (11)*

*VOTING AGAINST:*

CARRIED

## **PBEE-2014.2 2014 Development Priorities Plan**

Ms. Katie Nasswetter, Senior Development Planner, provided a brief overview of the 2014 Development Priorities Plan.

Mr. Todd Salter, General Manager Planning Services provided information on the changing housing mix in the City.

Dr. Hugh Whiteley commented on the future stage of planning and that the overall objectives need to adjust as statistics show a sharp drop in single family units. He suggested that the City should move towards establishing what the City's population should be for a sustainable equilibrium.

9. Moved by Councillor Bell  
Seconded by Councillor Guthrie

1. That the 2014 Development Priorities Plan dwelling unit targets for registration and draft plan approval be approved, as set out in the Planning, Building, Engineering and Environment Report 14-04 dated February 3, 2014.
2. That staff be directed to use the 2014 Development Priorities Plan to manage the timing of registration for plans of subdivision in the City for the year 2014.
3. That amendments to the timing of registration of plans of subdivision be permitted only by Council approval unless it can be shown that there is no impact on the capital budget and that the dwelling unit targets for 2014 are not exceeded.

*VOTING IN FAVOUR: Mayor Farbridge, Councillors Bell, Dennis Findlay, Furfaro, Guthrie, Hofland, Kovach, Laidlaw, Van Hellemond and Wettstein (11)*

*VOTING AGAINST:*

CARRIED

## **CAFE-2014.1 Budget Impacts per Ontario Regulation 284/09 & 2014 Budget PSAB Reconciliation**

There was discussion relating to post-employment benefit expenses and the amount allocated to the reserve.

10. Moved by Councillor Hofland  
Seconded by Councillor Wettstein

1. That the compliance report FIN-14-06 Budget Impacts per Ontario Regulation 284/09 and PSAB Budget Reconciliation included in Table 1 and Attachment 2 respectively be approved.

*VOTING IN FAVOUR: Mayor Farbridge, Councillors Bell, Dennis Findlay, Furfaro, Guthrie, Hofland, Kovach, Laidlaw, Van Hellemond and Wettstein (11)*

*VOTING AGAINST:*

CARRIED

**CON-2014.15 95 Willow Road Proposed Zoning By-law Amendment (File ZC1316) – Ward 3**

Mr. Todd Salter, General Manager Planning Services, advised of an amended resolution addressing taxation exemption and the city trail.

11. Moved by Councillor Kovach  
Seconded by Councillor Furfaro

1. That Report 14-13 regarding a City-initiated Zoning By-law Amendment to permit day care centre and government office uses for the property municipally known as 95 Willow Road, and legally described as Lot 9, Plan 593, City of Guelph, from Planning, Building, Engineering and Environment dated February 24, 2014, be received.
2. That the City-initiated Zoning By-law Amendment from the P.4 (Regional Park) Zone to a specialized I.1 (Institutional) Zone to permit day care centre and government office uses for the property municipally known as 95 Willow Road and legally described as Lot 9, Plan 593, City of Guelph, be approved in accordance with the zoning regulations and conditions outlined in Attachment 1 attached hereto, **as amended by the deletion of Clauses 20 and 21 in Attachment 1 with the replacement of the following:**
  - 20. The Developer shall be responsible for the cost of design and development of the demarcation of all lands conveyed by easement to the City in accordance with the City of Guelph Property Demarcation Policy. This shall include the submission of drawings and the administration of the construction contract up to the end of the warrantee period completed by an Ontario Association of Landscape Architect (OALA) member for approval to the satisfaction of the Executive Director of Community and Social Services. 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 Executive Director of Community and Social Services. (Park Planning & Development)**
  - 21. The Developer shall be responsible to ensure that the grading and drainage design for the subject property 1) identifies the future trail to be implemented by the City, 2) minimizes surface drainage over the trail easement in favour of the City, and 3) allows for the implementation of the future trail to City standards. This shall include**

**the submission of drawings completed by a Professional Engineer (P. Eng.) for approval to the satisfaction of the Executive Director of Community and Social Services and the City Engineer. (Park Planning & Development, Engineering)**

*VOTING IN FAVOUR: Mayor Farbridge, Councillors Bell, Dennis Findlay, Furfaro, Guthrie, Hofland, Kovach, Laidlaw, Van Hellemond and Wettstein (11)*

*VOTING AGAINST:*

CARRIED

### **Special Resolutions**

#### **Councillor Findlay's motion for which notice was given January 27, 2014.**

12. Moved by Councillor Findlay  
Seconded by Councillor Furfaro

That the following be referred to the Corporate Administration, Finance & Enterprise Committee:

That staff be directed to provide a full cost accounting for development projects for Council approval.

*VOTING IN FAVOUR: Mayor Farbridge, Councillors Bell, Dennis Findlay, Furfaro, Guthrie, Hofland, Kovach, Laidlaw, Van Hellemond and Wettstein (11)*

*VOTING AGAINST:*

CARRIED

#### **Councillor Guthrie's motion for which notice was given January 27, 2014.**

Ms. Ann Pappert, Chief Administrative Officer, outlined the various tools/systems already underway to address concerns, new ideas and issues.

13. Moved by Councillor Guthrie  
Seconded by Councillor Bell

That the following be referred to the Governance Committee:

That the matter of a "tip line" regarding comments and concerns for the Corporation of the City of Guelph, for both concerned employees and concerned citizens be investigated by staff and reported back to the Governance Committee for consideration.

*VOTING IN FAVOUR: Councillors Bell, Findlay, Furfaro, Guthrie, Kovach and Van Hellemond (6)*  
*VOTING AGAINST: Mayor Farbridge, Councillors Dennis, Hofland, Laidlaw and Wettstein (5)*

CARRIED

### **By-laws**

14. Moved by Councillor Hofland  
Seconded by Councillor Bell

That By-laws Numbered (2014)-19696 to (2014)-19709, inclusive, are hereby passed.

*VOTING IN FAVOUR: Mayor Farbridge, Councillors Bell, Dennis Findlay, Furfaro, Guthrie, Hofland, Kovach, Laidlaw, Van Hellemond and Wettstein (11)*

*VOTING AGAINST:*

CARRIED

**Notice of Motion**

Councillor Findlay gave notice that he will be bringing a motion to a subsequent meeting on late night eateries and access to washrooms.

**Adjournment** (9:07 p.m.)

15. Moved by Councillor Furfaro  
Seconded by Councillor Guthrie

That the meeting be adjourned.

CARRIED

*Minutes to be confirmed on March 31, 2014.*

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Mayor Farbridge

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City Clerk

## **Recommended Zoning Regulations and Conditions**

The property affected by the Zoning By-law Amendment application is municipally known as 95 Willow Road and legally described as Lot 9, Plan 593, City of Guelph.

### **PROPOSED ZONING**

The following zoning is proposed for the subject site:

#### **Specialized I.1-? (Institutional) Zone**

##### **Permitted Uses**

- Day Care Centre in accordance with Section 4.26
- Government Office
- Occasional Uses in accordance with Section 4.21
- Administrative office, activity room, recreation centre and other accessory uses are permitted provided that such use is subordinate, incidental and exclusively devoted to a permitted use in this zone and provided that such use complies with Section 4.23

##### **Regulations**

In accordance with Section 4 (General Provisions) and Section 8.2 and Table 8.2 (Institutional Regulations) of Zoning By-law (1995)-14864, as amended, with the following exceptions:

##### **Definition**

For the purposes of this zone, 'Government Office' shall mean a building or a portion thereof used by the public (federal, provincial, county or municipal) sector government(s) to conduct public administration.

##### **Maximum Front Yard Setback**

Despite Row 4, Table 8.2, there shall be no maximum front yard setback requirement in this zone.

### **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 submit to the City, in accordance with Section 41 of the *Planning Act*, a fully detailed site plan, indicating the location of buildings, landscaping, parking, circulation, access, lighting, tree preservation, grading and drainage and servicing on the said lands to the satisfaction of the General Manager of Planning Services and the General Manager/City Engineer, prior to the issuance of a building permit, and furthermore the Owner agrees to develop the said lands in accordance with the approved plan.
  - i) Further, the Owner commits and agrees to incorporate measures that will ensure the proposed development implements the Community Energy Initiative
2. 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

3. Prior to site plan approval and prior to any construction or grading on the lands, the Owner shall provide to the City, to the satisfaction of the General Manager/City Engineer, any of the following studies, plans and reports that may be requested by the General Manager/City Engineer:
  - i) site servicing and stormwater management report certified by a Professional Engineer in accordance with the City's Guidelines and the latest edition of the Ministry of the Environment's "Stormwater Management Practices Planning and Design Manual" which addresses the quantity and quality of stormwater discharge from the site;
  - ii) a grading and drainage plan prepared by a Professional Engineer for the site;
  - iii) a detailed erosion and sediment control plan, certified by a Professional Engineer that indicates the means whereby erosion will be minimized and sediment maintained on-site throughout grading and construction;
4. The Owner shall, to the satisfaction of the General Manager/City Engineer, address and be responsible for adhering to all the recommended measures contained in the plans, studies and reports outlined in subsections 2 i) to 2 iii) inclusive.
5. The Owner shall locate the position of the existing storm sewer and be responsible for the entire cost of locating the sewer, prior to site plan approval and prior to any construction or grading on the lands.
6. The Owner shall investigate where the existing catchbasin in the parking area is connected into and will be responsible for the entire costs to do so, prior to site plan approval and prior to any construction or grading on the lands.
7. Prior to site plan approval and prior to any construction or grading on the lands, the Owner shall grant an easement with a width of approximately 8.0-metres (26.25 feet) by a depth of approximately 130.00-metres (426.50 feet), registered on title, in favour of the City of Guelph over the existing 1350mm (4.43 feet) storm sewer.
8. The Owner pays the actual cost of constructing and installing sanitary and water service laterals if required including any curb cuts and/or curb fills and furthermore, prior to site plan approval and prior to any construction or grading on the lands, the Owner shall pay to the City the estimate cost of the service laterals, as determined by the General Manager/City Engineer if required.
9. That the Owner grades, develops and maintains the site including the storm water management facilities designed by a Professional Engineer, in accordance with a Site Plan that has been submitted to and approved by the General Manager/City Engineer. Furthermore, the Owner shall have the Professional Engineer who designed the storm water management system certify to the City that he/she supervised the construction of the storm water management system, and that the storm water management system was approved by the City and that it is functioning properly.

10. That the Owner constructs the new building at such an elevation that the lowest level of the new building can be serviced with a gravity connection to the sanitary sewer.
11. That all electrical services to the lands are underground and the Owner shall make satisfactory arrangement with Guelph Hydro Electric Systems Inc. for the servicing of the lands, as well as provisions for any easements and/or rights-of-ways for their plants, prior to site plan approval and prior to any construction or grading on the lands.
12. That the Owner makes 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 site plan approval and prior to any construction or grading on the lands.
13. 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 for the Lands, prior to site plan approval and prior to any construction or grading on the lands.
14. Prior to site plan approval and prior to any construction or grading on the lands, any monitoring wells and boreholes drilled for hydrogeological or geotechnical investigations shall be properly abandoned in accordance with current Ministry of the Environment Regulations and Guidelines. The Owner shall submit a Well Record to the satisfaction of the General Manager/City Engineer.
15. The Owner acknowledges that the City does not allow retaining walls higher than 1.0-metre abutting existing residential properties without the permission of the General Manager/City Engineer.
16. The owner shall ensure that hydro services for this development will be underground. Supply for this development will be from Willow Road.
17. The owner acknowledges that a minimum distance of 3.0 metres must be maintained between any dwelling units and pad-mounted transformers.
18. The owner acknowledges that a minimum distance of 1.5 metres must be maintained between any driveways/entrances and street light poles or pad-mounted transformers. Any relocations required would be done at the owner's expense.
19. The owner agrees that arrangements must be made with Guelph Hydro's Technical Services Department prior to demolition.
20. **The Developer shall be responsible for the cost of design and development of the demarcation of all lands conveyed by easement to the City in accordance with the City of Guelph Property Demarcation Policy. This shall include the submission of drawings and the administration of the construction contract up to the end of the warrantee period completed by an Ontario Association of Landscape Architect (OALA) member for approval to the satisfaction of the Executive Director of Community and Social Services. 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 Executive Director of Community and Social Services. (Park Planning & Development)**

- 21. The Developer shall be responsible to ensure that the grading and drainage design for the subject property 1) identifies the future trail to be implemented by the City, 2) minimizes surface drainage over the trail easement in favour of the City, and 3) allows for the implementation of the future trail to City standards. This shall include the submission of drawings completed by a Professional Engineer (P. Eng.) for approval to the satisfaction of the Executive Director of Community and Social Services and the City Engineer. (Park Planning & Development, Engineering)**
21. The Developer shall provide Planning Services with a digital file in either AutoCAD - DWG format or DXF format containing the following final approved information: parcel fabric, development layout and trail design, grades/contours and landscaping. (Park Planning & Development)
22. That prior to site plan approval, the Owner shall enter into a Site Plan Control Agreement with the City, registered on title, satisfactory to the City Solicitor, the General Manager of Planning Services and the General Manager/City Engineer, covering the conditions noted above.