

Council Chambers  
March 2, 2009 7:00 p.m.

**A meeting of Guelph City Council.**

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

Absent: Councillor Laidlaw

Staff Present: Mr. J. Riddell, Director of Community Design & Development Services; Mr. S. Hannah, Manager of Development & Parks Planning; Mr. C. DeVriendt, Senior Development Planner; Mr. A. Hearne, Senior Development Planner; Mr. R. Henry, City Engineer; Ms. T. Agnello, Deputy City Clerk and Ms. D. Black, Assistant Council Committee Coordinator

**DECLARATIONS UNDER MUNICIPAL CONFLICT OF INTEREST ACT**

There was no declaration of pecuniary interest.

- The Mayor announced that Mr. Rick Henry, City Engineer has received the "Elaine Robinson Volunteer of the Year Award. She advised the award recognizes an individual who has made an invaluable and outstanding contribution to the municipal sector and to the OGRA (Ontario Good Roads Association).

**PLANNING PUBLIC MEETING**

**1440-1448 Gordon Street: Proposed Official Plan Amendment and Zoning By-law Amendment (File: OP0802/ZC0807) – Ward 6**

Mr. C. DeVriendt advised that the subject site is currently designated medium density residential and zoned Residential Single Detached. He stated that the applicant is requesting the subject lands be designated to high density residential to permit the proposed 86 unit residential apartment building with a minimum net density of 100 units per hectare and a maximum net density of 125 units per hectare. He also advised that the proposed zoning by-law amendment would be to add a Specialized General Apartment Zone to permit:

- a maximum density of 125 units per hectare, where the zoning bylaw permits a maximum of 100 units per hectare

- a minimum side yard of 6 metres, where the zoning by-law requires a minimum side yard of 7.5 metres where windows to a habitable room face onto a side yard;
- a maximum building height of 4 storeys, where the zoning by-law permits 8 storeys;
- a minimum common amenity area of 1,656 square metres, where the zoning by-law requires a minimum of 1,920 square metres.

He also advised the building includes associated surface and underground parking to accommodate a total of 113 spaces along with landscaped and common amenity areas.

Staff was directed to determine whether pedestrian access could be accommodated for walking through the site.

Ms. Astrid J. Clos, advised that Mr. DeVriendt had covered the key points she wanted to address. She stated that she was present to represent the owners and they were present also and willing to answer questions.

1. Moved by Councillor Kovach  
Seconded by Councillor Billings

Mr. J. Riddell

THAT Report 09-18 regarding a Proposed Official Plan Amendment and Zoning By-law Amendment to permit the development of a four storey apartment building with a maximum net density of 125 dwelling units per hectare applying to property municipally known as 1440-1448 Gordon Street, and legally described as Part Lot 7, Concession 8, City of Guelph, from Community Design and Development Services dated March 2, 2009, be received.

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

VOTING AGAINST: (0)

Carried

**340 CLAIR ROAD EAST: Proposed Draft Plan of Residential Subdivision and Associated Zoning By-law Amendment (File 23T-02502/ZC0706) – Ward 6**

Mr. Jeff Robinson, on behalf of Reid's Heritage Homes provided a history of the draft plan of subdivision application. As a result of previous public meetings, the

density of the application has changed to meet the Places to Grow legislation. He believes that excluding the lands south of Frederick Drive from the approval will expose them to risks. He stated that Frederick Drive is an access point and believes both sides of the street should be allowed to develop simultaneously. He believes the recommendation by staff is too restrictive. The applicant would prefer Clair Road and Victoria Road to be the site zoned for Commercial Residential rather than the staff recommended section of Frederick Drive.

Ms. Robin-Lee Norris stated the applicant does not want the lands south of Frederick Drive to be deferred and they want a decision immediately. She advised that a land exchange south of Frederick Street is part of the process and by not approving the lands south of Frederick Drive, the entire application may be in jeopardy. She stated that the application meets all provincial policy statements and exceeds the Places to Grow legislation. The applicant believes that part approval accomplishes nothing. She then advised that the principals of the company engaging in the development are also present to answer questions.

Mr. A. Hearne, Senior Development Planner advised that staff was not in receipt of the applicant's new proposal and the applicant was previously asked to scale back the size of the subdivision to comply with City development policies. He advised that staff is not satisfied that there has been sufficient planning on the south side of Frederick Drive to give approval at this time. He stated that commercial uses may need to be introduced and a change to the Official Plan may be required. Staff is recommending the specialized block at the Frederick Drive location because it is at a main entrance, on the right hand side and provides convenient access.

Staff stands by their recommendation that all lands south of Frederick Drive are not included in the Subdivision Plan or Zoning approval. A 700 unit development imposes a strain on the sewage capacity and is not in keeping with the Development Priorities Plan. He stated there are concerns regarding building height and there needs to be convenience commercial uses introduced for the residents or live/work units in a townhouse unit form. Staff do not wish to see freestanding residential units on the block.

Staff advised that sewage capacity is a key factor and the greenfields and built boundary allocations need to be given consideration.

Staff were directed to ensure that the school boards receive a copy of the Development Priorities Plan.

Mr. J. Robinson  
Mr. J. Riddell  
Mr. D. McCaughan  
Ms. L.E. Payne  
Ms. M. Neubauer

2. Moved by Councillor Burcher  
Seconded by Councillor Kovach

THAT Report 09-20 regarding a revised Draft Plan of Residential Subdivision and associated Zoning By-law Amendment application applying to Phase 4 of the Westminister Woods East Subdivision (File 23T-02502/ZC0706) at property municipally known as 340 Clair Road East, City of Guelph, from Community Design and Development Services dated March 2, 2009, be received, as amended to include an addition to Condition 41 of Schedule 2, as follows:

- "Purchasers and/or tenants of all lots or units located in the subdivision plan are advised that active agricultural lands and activities are located adjacent to the subdivision on the east side of Victoria Road."

AND THAT the application by Westminister Woods Limited for approval of a Draft Plan of Residential Subdivision to permit Phase 4 of the Westminister Woods East Plan of Subdivision on land legally described as Part of Lots 9 and 10, Concession 8, formerly Township of Puslinch, City of Guelph, be approved in part, subject to the revisions and conditions outlined in Schedule 2 of the Community Design and Development Services Report 09-20 dated March 2, 2009, as amended, hereto attached;

AND THAT the application by Westminister Woods Limited for approval of an associated Zoning By-law Amendment to rezone the lands from the 'Agriculture' Zone under the Puslinch Township Zoning By-law 19/85, to the Specialized R.1B-24 (Single-Detached Residential) Zone, the R.1C (Single-Detached Residential) Zone, the R.1D (Single-Detached Residential) Zone, a Specialized R.3A/R.4A (Townhouse/Apartment) Zone, a Specialized CR Commercial/Residential) Zone and the I.1 (Institutional) Zone to implement Phase 4 of the Westminister Woods East Draft Plan of Residential Subdivision, be approved in part, in the revised form outlined in Schedule 2 of the Community Design and Development Services Report 09-20 dated March 2, 2009, as amended, hereto attached;

AND THAT Guelph City Council has determined that no further public notice is required with respect to the proposed Draft Plan of Residential Subdivision and Zoning By-law Amendment applications (File 23T-02502/ZC0706) in accordance with Section 34(17) of The Planning Act.

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

VOTING AGAINST: (0)

Carried

### **FCM MISSION TO MOZAMBIQUE**

Mr. Riddell advised that the purpose of the mission is to provide technical support and build a partnership with the two municipalities and there is one year left in the partnership. He stated the scope of the project has been narrowed down to implementing the GIS system but there may be opportunities for future projects.

In response to a question regarding Councillor attendance proposed to be the representative because of the significant commitment she has invested in this program to date was a factor. Also, the continuity of keeping Councillor Burcher on the project would be helpful.

3. Moved by Councillor Hofland  
Seconded by Councillor Beard

Councillor Burcher  
Mr. J. Riddell

THAT Councillor Lise Burcher participate in the next FCM mission to Mozambique between March 13 and March 23, 2009, as the City of Guelph council representative. Her contribution will assist in the ongoing capacity development initiatives and projects identified through earlier work with Guelph and the communities of Xai Xai and Moatize, Mozambique as well as initiatives towards the mobilization of community resources to aid in community development.

VOTING IN FAVOUR: Councillors Beard, Bell, Billings, Burcher, Farrelly, Findlay, Hofland, Piper, Salisbury, Wettstein and Mayor Farbridge (11)

VOTING AGAINST: Councillor Kovach (1)

Carried

4. Moved by Councillor Salisbury  
Seconded by Councillor Wettstein

Mrs. L.A. Giles

THAT staff be directed to report back to the Governance Committee with regard to the process for appointing Council delegations to various exchange programs.

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

VOTING AGAINST: (0)

Carried

**ADJOURNMENT**

The meeting adjourned at 8:35 p.m.

Minutes read and confirmed March 23, 2009.

.....  
Mayor

.....  
Deputy Clerk

## Schedule 2 Recommended Conditions and Zoning

### **SUBDIVISION**

THAT the application by Westminister Woods Limited for approval of a Draft Plan of Residential Subdivision to permit Phase 4 of the Westminister Woods East Plan of Subdivision on land legally described as Part of Lots 9 and 10, Concession 8, formerly Township of Puslinch, City of Guelph, be approved in part, subject to the following revisions and conditions:

### **CITY CONDITIONS**

1. That this approval applies to the draft plan of subdivision prepared by Design Plan Services Inc., dated January 29, 2009, further revised by the City as outlined in Schedule 2 of the Community Design and Development Services Report 09-20 dated March 2, 2009, identifying a minimum of 316 dwelling units (85 single-detached lots + 225+6 townhouses and apartments on Blocks 86 and 89).

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

2. The Developer shall complete a **revised tree inventory and conservation plan**, satisfactory to the City Engineer in accordance with City of Guelph Bylaw (1986)-12229 prior to any grading, tree removal or construction on the site. (Engineering)
3. The Developer shall obtain a **Site Alteration Permit** in accordance with City of Guelph By-law (2007)-18420 to the satisfaction of the City Engineer and the GRCA.
4. The Developer shall prepare and implement a **construction traffic access and control plan** for all phases of servicing and building construction to the satisfaction of the City Engineer. Any costs related to the implementation of such a plan shall be borne by the Developer.
5. The Developer agrees that no work, including, but not limited to **tree removal, grading or construction**, will occur on the lands until such time as the Developer has obtained written permission from the City Engineer or has entered into a Subdivision Agreement with the City.
6. The Developer shall enter into an **Engineering Services Agreement** with the City, satisfactory to the City Engineer.
7. The Developer shall prepare an overall **site drainage and grading plan**, satisfactory to the City Engineer, for the entire subdivision. Such a plan will be used as the basis for a detailed lot grading plan to be submitted prior to the issuance of any building permit within the subdivision.

8. The Developer shall construct, install and maintain **erosion and sediment control** facilities, satisfactory to the City Engineer, in accordance with a plan that has been submitted to and approved by the City Engineer and the GRCA.
9. The Developer shall provide a qualified **environmental inspector**, satisfactory to the Director of Community Design and Development Services, to inspect the site during all phases of development and construction including grading, servicing and building construction. The environmental inspector shall monitor and inspect the erosion and sediment control measures and procedures, and compliance with the Environment Impact Study. The environmental inspector shall report on their findings to the City as recommended by the Environmental Impact Study. (Planning)
10. The Developer shall submit a detailed **Storm Water Management Report and Plans** to the satisfaction of the City Engineer which shows how storm water will be controlled and conveyed to the receiving water body. The report and plan shall address the issue of water quantity and quality in accordance with recognized best management practices, Provincial Guidelines, the City's "Design Principles for Storm Water Management Facilities" and the Storm Water Management Design Report for the applicable watershed. Maintenance and operational requirements for any control and/or conveyance facilities must be described.
11. The Developer shall ensure that any **domestic wells located within the lands be properly decommissioned** in accordance with current Ministry of the Environment Regulations and Guidelines to the satisfaction of the City Engineer. Any **boreholes** drilled for hydrogeological or geotechnical investigations must also be properly abandoned.
12. The Developer shall ensure that the **height of any proposed retaining wall** does not exceed 1.0 metre to the satisfaction of the City Engineer.
13. The Developer shall **stabilize all disturbed soil** within 90 days of being disturbed, control all noxious weeds and keep ground cover to a maximum height of 150 mm (6 inches) until the release of the development agreement on the block/lot so disturbed.

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

14. That any dead ends and open sides of road allowances created by the draft plan be terminated in **0.3 metre reserves**, which shall be conveyed to the City at the expense of the Developer.
15. That with the exception of any share determined by the City to be the City's share in accordance with its by-laws and policies, the Developer is responsible for the total **cost of the design and construction of all municipal services** within and external to the subdivision that are required by the City to service the lands within the plan of subdivision including such works as sanitary facilities, storm facilities, water facilities, walkways and road works including sidewalks, boulevards and curbs, with the distance, size and alignment of such services to be determined by the City. In addition, the Developer will be required to pay



- the cost of the design, construction and removal of any works of a temporary nature including temporary cul-de-sacs, sewers, stormwater management facilities, watermains and emergency accesses.
16. The Developer shall pay to the City a share of the **cost of all existing services** abutting the subdivision as determined by the City Engineer including, but not limited to, a share of the cost of the existing watermain on Clair Road and Victoria Road and a share of the cost of road improvements on Clair Road and Victoria Road. (Engineering)
  17. The Developer shall submit a **Geotechnical Report** to the satisfaction of the City Engineer which describes the potential impacts of groundwater and provides recommendations for pavement design and pipe bedding.
  18. The Developer shall pay the cost of supplying and erecting **street name and traffic control signs** in the subdivision, to the satisfaction of the City.
  19. The Developer shall pay to the City the flat rate charge established by the City per metre of road frontage to be applied to **street tree planting** within the proposed subdivision.
  20. The Developer shall pay to the City the cost of installing **bus stop pads** at locations to be determined by Guelph Transit.
  21. The Developer shall provide an **On-Street Parking Plan** for the subdivision to the satisfaction of the City Engineer.
  22. The site plans for all **corner building lots**, as determined by the City, shall be submitted to the City for approval of driveway location.
  23. The Developer shall pay the cost of the installation of one Second Order **Geodetic Benchmark** within the proposed subdivision to the satisfaction of City Engineer.
  24. The Developer shall phase the subdivision to the satisfaction of the City of Guelph. Such **phasing** shall conform to the current Development Priorities Plan.
  25. The Developer shall provide Community Design and Development Services with a **digital file** in either AutoCAD - DWG format or DXF format containing the following final approved information: parcel fabric, street network, grades/contours and existing vegetation.

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

26. The Developer shall obtain approval of the City with respect to the availability of **adequate water supply and sewage treatment capacity**, prior to the registration of the plan, or any part thereof.
27. The Developer acknowledges and agrees that the suitability of the land for the proposed uses is the responsibility of the landowner. The Developer shall retain

a Qualified Person (QP) as defined in Ontario Regulation 153/04 to prepare and submit 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, a Qualified Person shall certify that all properties to be conveyed to the City are free of contamination.

28. Prior to the City accepting any real property interests, if contamination is found, the Developer shall:
- submit all environmental assessment reports prepared in accordance with the **Record of Site Condition** (O. Reg. 153/04) describing the current conditions of the land to be conveyed to the City and the proposed remedial action plan to the satisfaction of the Manager of Realty Services;
  - complete any necessary remediation work in accordance with the accepted remedial action plan and submit certification from a Qualified Person that the lands to be conveyed to the City meet the Site Condition Standards of the intended land use; and
  - file a Record of Site Condition (RSC) on the Provincial Environmental Registry for lands to be conveyed to the City.
29. The Developer shall enter 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.
30. That the **road allowances** included in the draft plan be shown and dedicated at the expense of the Developer as public highways and that prior to the registration of any phase of the subdivision, the City shall receive a letter from the O.L.S. preparing the plan that certifies that the layout of the roads in the plan conforms to the City's "Geometric Design Criteria – July 23, 1993".
31. The Developer shall build the proposed transit route of Colonial Drive with a roadway having a minimum **pavement width** of 10 metres and sidewalk on both side of the street to the satisfaction of the City. (Engineering)
32. That all **easements, blocks** and **rights-of-way** required within or adjacent to the proposed subdivision be conveyed clear of encumbrance to the satisfaction of the City of Guelph, Guelph Hydro Electric Systems Inc. and other Guelph utilities. Every Transfer Easement shall be accompanied by a Postponement, satisfactory to the City Solicitor, for any mortgage, charge or lease and such Postponement shall be registered on title by the City at the expense of the Developer.
33. The Developer shall pay any **outstanding debts** owed to the City.
34. The Developer shall pay **development charges** to the City in accordance with By-law Number (2004) - 17361, as amended from time to time, or any successor thereof and in accordance with the Education Development Charges By-laws of the Upper Grand District School Board (Wellington County) and the

Wellington Catholic District School Board as amended from time to time, or any successor by-laws thereto.

35. The Developer shall erect and maintain **signs** at specified entrances to the subdivision showing the proposed land uses and zoning of all the lots and blocks within the proposed subdivision and predominantly place on such signs the wording "For the Zoning of all lands abutting the subdivision, inquiries should be directed to Community Design and Development Services, City Hall". Further, the signs shall be resistant to weathering and vandalism.
36. The Developer shall place the following **notifications** in all offers of purchase and sale for all lots and/or dwelling units and agrees that these same notifications shall be placed in the City's subdivision agreement to be registered on title (Planning):
- "Purchasers and/or tenants of advised that the Stormwater Management Block has been vegetated to create a natural setting. Be advised that the City will not 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 Park Block has been designed for active public use and may include sports fields, playgrounds, trails and other park amenities. Be advised that the City may carry out regular maintenance such as grass cutting. Periodic maintenance may also occur from time to time to support the park functions."
  - "Purchasers and/or tenants of all lots or units are advised that the boundaries of the open space, stormwater 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 certain lot numbers and black vinyl chain link fence adjacent to other lot numbers." The Developer shall also send written notification of proposed demarcation types to any existing homeowners in lots adjacent to open space, stormwater management and park blocks.
37. The Developer shall ensure that all **telephone service and cable TV service** in the plan shall be underground. The Developer shall enter into a servicing agreement with the appropriate service providers to provide for the installation of underground utility services for the Lands.

38. The Developer shall ensure that **street lighting** and underground wiring shall be provided throughout the subdivision at the Developer's expense and in accordance with the policies of the City of Guelph and Guelph Hydro Electric Systems Inc.
39. 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.
40. The Developer agrees to eliminate the use of any covenants that would restrict the use of **clotheslines** and that prior to the registration of all or any portion of the plan, the Developer's lawyer shall certify to the Director of Community Design and Development Services that there are no restrictive covenants which restrict the use of clotheslines.
41. The Developer shall place the following **notifications** in all offers of purchase and sale for all lots and/or dwelling units and agrees that these same notifications shall be placed in the City's subdivision agreement to be registered on title:
- "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 certified design by a Professional Engineer. Furthermore, all sump pumps must be discharged to the rear yard."
  - "Purchasers and/or tenants of all lots or units are advised that if any fee has been paid by the purchaser to the Developers for the planting of trees on City boulevards in front of residential units does not obligate the City nor guarantee that a tree will be planted on the boulevard in front or on the side of a particular residential dwelling."
  - "Purchasers and/or tenants of all lots or units are advised that a transit route may be installed on Colonial Drive and Fredrick Drive 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."
  - "Purchasers and/or tenants of all lots or units located in the subdivision plan, are advised prior to the completion of home sales, of the time frame during which construction activities may occur, and the potential for residents to be inconvenienced by construction activities such as noise, dust, dirt, debris, drainage and construction traffic".
  - "Purchasers and/or tenants of all lots or units adjacent to Clair Road and Victoria Road are advised that Clair Road and Victoria Road may be used as a permitted truck route."

- "Purchasers and/or tenants of all lots or units located in the subdivision plan are advised that active agricultural lands and activities are located adjacent to the subdivision on the east side of Victoria Road."

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

42. The Developer shall submit a report prepared by a Professional Engineer to the satisfaction of the Chief Building Official certifying that all **fill** placed below proposed building locations has adequate structural capacity to support the proposed building. All fill placed within the allowable zoning bylaw envelope for building construction shall be certified to a maximum distance of 30 metres from the street line. This report shall include the following information; lot number, depth of fill, top elevation of fill and the area approved for building construction from the street line.
43. The Developer shall submit a report prepared by a Professional Engineer to the satisfaction of the Chief Building Official providing an opinion on the presence of **soil gases (Radon and Methane)** in the plan in accordance with applicable provisions contained in the Ontario Building Code.

**Conditions to be met prior to site plan approval**

44. All **Stage 1 Services** are to be constructed to the satisfaction of the City Engineer.
45. The Developer shall provide the City with written confirmation from the Engineering Department of **Guelph Hydro** that the subdivision hydro servicing has been completed to the satisfaction of Guelph Hydro.
46. The owner shall, to support the **Community Energy Plan** to the satisfaction of the Director of Community Design and Development Services, prior to the issuance of site plan approval, provide the City with evidence that:
- a) *The owner shall participate with the City and Guelph Hydro Electric Systems Inc. to explore and demonstrate building energy efficiency options for the development that will further contribute to the peak reduction of electrical power in the subdivision.*
  - b) *The Owner acknowledges and agrees that the dwelling units in the subdivision will be constructed to the ENERGY STAR standard that promotes energy efficiency to comply with the Community Energy Plan, to the satisfaction of the City.*
  - c) The owner shall participate in a study to review the possibilities for neighbourhood energy integration at or including the subdivision lands to the satisfaction of the City.
47. The Owner acknowledges and agrees that all landscape drawings submitted for site plan approval for the lots and blocks in the subdivision shall illustrate **native trees and shrubs** wherever possible, to the satisfaction of the City.

**AGENCY CONDITIONS:**

48. The Developer shall ensure that all **telephone service and cable TV service** in the plan shall be underground. The Developer shall enter into a servicing agreement with the appropriate service providers to provide for the installation of underground utility services for the Lands.
49. The Developer and the **Wellington District Catholic School Board** shall reach an agreement regarding the conveyance of Block 90 to the Wellington District Catholic School Board.
50. The Developer and the **Wellington Catholic School Board** shall reach an agreement regarding the supply and erection of signage, at the developer's expense, affixed to the subdivision sign advising potential Separate School supporters of the location of schools serving the area and the current practice of busing students outside the immediate area should schools in the area be at capacity.
51. 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.
52. 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.
53. 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.
54. 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.
55. That prior to the registration of all or any portion of the plan, the **Wellington District Catholic District School Board** shall advise the City in writing how conditions 49 and 50 have been satisfied.
56. 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 51 and 52 have been satisfied.

57. That prior to the registration of all or any portion of the plan, **Guelph Hydro Electric Systems Inc**, shall advise the City in writing how condition 45 has been satisfied.

58. That prior to the registration of all or any portion of the plan, **Canada Post** shall advise the City in writing how condition 53 has been satisfied.

59. That prior to the registration of all or any portion of the plan, the **GRCA** shall advise the City in writing how conditions 3 and 8 have been satisfied.

AND

**PART B**

*“That the Zoning By-law amendment application be approved in part as revised and recommended by the City as outlined in Schedule 2 of the Community Design and Development Services Report 09-20 dated March 2, 2009 and that City Staff be instructed to prepare the necessary amendment to Zoning By-law Number (1995)-14864, as amended, to transfer the subject lands to the following zoning categories:*

<b>Lots / Blocks</b>	<b>Land Use</b>	<b>Zoning</b>
Lots 1-5; 23-39; 55-61	Single Detached Residential Min. Frontage of 12 metres	R.1C
Lots 6-22; 40	Single Detached Residential Min. Frontage of 15 metres and sideyard of 1.2 metres	R.1B-24
Lots 41-54; 62-85	Single Detached Residential Min. Frontage of 9 metres	R.1D
Block 86	Medium Density townhouses and apartments	R.3A-? / R.4A-? Specialized Holding Zone – See Below
Block 89	Specialized CR (Commercial Residential) permitting convenience commercial, live-work units in townhouse form and apartments in the same building as the commercial	CR-? Specialized Holding Zone – See Below
Block90	Institutional –Elementary School	I.1

**R.3A-?/R.4A-? SPECIALIZED (Holding) ZONE – BLOCK 86  
PERMITTED USES**

- Townhouse Dwellings – Cluster & Stacked
- Apartment Dwellings
- Accessory Uses

**REGULATIONS**

Minimum Dwelling Units

A minimum of 240 Dwelling Units shall be constructed in this zone.

Minimum Number of Apartment Dwellings

A minimum of 120 Apartment Dwelling Units shall be constructed in this zone.

Minimum Gross Floor Area (per unit)

50 square metres

Minimum Front Yard

- a) From a public Street – 4.5 metres
- b) From a private Street – 4.5 metres from the nearest sidewalk

Maximum Building Height

4 Storeys with the exception that all buildings and structures located within 30 metres of the north property line of Block 86 shall be a maximum of 2 storeys in height.

Maximum Block Coverage

No more than 40% of the lot or block area shall be covered by buildings or structures.

Minimum Common Amenity Area

An amount not less than 15m<sup>2</sup> per dwelling unit shall be provided and aggregated into areas of not less than 50m<sup>2</sup>. Amenity area shall be designed and located so that the length does not exceed 4 times the width.

Minimum Landscaped Open Space Area (% of Block Area)

30% of the Block Area

Minimum Off-Street Parking for Each Dwelling Unit

Townhouse - 1.5 spaces  
Apartment – 1.25 spaces

Separation Distance Requirements for Townhouses and Apartment Buildings

The distance between any two buildings shall in no case be less than 4.0m and meet OBC requirements.

Frontage on a Street

Despite section 4.1, access from a Building to a public street may be provided by way of a private street.

Maximum Number of Dwelling Units in a Row

12 Dwelling Units

'H' Holding Provisions

- the registration of the subdivision or partial subdivision phase
- the timing and allocation of units is supported by the approved DPP
- the City's confirmation of full municipal services to support the development
- the registration of a site plan agreement



**Specialized CR (Commercial/Residential) Zone – Block 89**

**PERMITTED USES**

- Convenience Store
- Dry Cleaning Outlet
- Financial Establishment
- Florist
- Laundry
- Library
- Medical Office
- Office
- Personal Service Establishment
- Restaurant
- Restaurant (take-out)
- Veterinary Service
- Day Care Centre
- Video Rental Outlet
- ~~Gas Bar~~ (Staff Comment: Incompatible land use)
- ~~Art Gallery~~ (Staff Comment: Not convenience commercial)
- Dwelling Units with permitted commercial uses in the same building in accordance with Section 4.15.2
- Live-Work Units in the form of Townhouse Dwelling Units
- Accessory Use

(Note: Freestanding residential dwelling units are not permitted in this zone.)

The following definition shall apply:

A 'Live-Work Unit' shall mean a dwelling unit, part of which may be used as a business establishment and the dwelling unit is the principal residence of the business operator.

**REGULATIONS**

Minimum Dwelling Units

A minimum of 6 Dwelling Units (apartments with commercial or live-work townhouses) shall be constructed in this zone.

Minimum Gross Floor Area (per dwelling unit)

50 square metres

Maximum Gross Floor Area – Commercial

300 m<sup>2</sup> (3,200 sq. ft.) in accordance with the Official Plan

Maximum Building Height

4 Storeys

Maximum Block Coverage

No more than 45% of the lot or block area shall be covered by buildings or structures.

Minimum Common Amenity Area

An amount not less than 15m<sup>2</sup> per dwelling unit shall be provided and aggregated into areas of not less than 50m<sup>2</sup>. Amenity area shall be designed and located so that the length does not exceed 4 times the width.

Minimum Landscaped Open Space Area (% of Block Area)

30% of the Block Area

Minimum Off-Street Parking for Each Unit

Live-work Townhouse - 1.5 spaces

Apartment – 1.25 spaces

Commercial – 1 space per 75 m<sup>2</sup> of gross floor area

Frontage on a Street

Despite section 4.1, access from a Building to a public street may be provided by way of a private street.”