

**Minutes of Guelph City Council  
Held in the Council Chambers, Guelph City Hall on  
Monday, April 11, 2016 at 5:00 p.m.**

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**Attendance**

Council: Mayor C. Guthrie  
Councillor P. Allt  
Councillor B. Bell  
Councillor C. Billings (*arrived at 5:04 p.m.*)  
Councillor C. Downer  
Councillor D. Gibson  
Councillor J. Gordon  
Councillor J. Hofland  
Councillor M. MacKinnon  
Councillor L. Piper (*arrived at 5:04 p.m.*)  
Councillor A. Van Hellemond  
Councillor M. Salisbury  
Councillor K. Wettstein

Staff: Ms. J. Sweeney, Acting Deputy Clerk

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**Call to Order (5:00 p.m.)**

Mayor Guthrie called the meeting to order.

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

1. Moved by Councillor Bell  
Seconded by Councillor Hofland

That the Council of the City of Guelph now hold a meeting that is closed to the public, pursuant to Section 239 (2)(a) (b) and (d) of *The Municipal Act*, with respect to security of the property, personal matters about identifiable individuals and labour relations or employee negotiations.

CARRIED

**Closed Meeting (5:04 p.m.)**

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

There were no disclosures.

The following matters were considered:

- C-2016.23 Governance Committee Update – CAO Contract**
- C-2016.24 Labour Relations**
- C-2016.25 Decision Making: Terms of Reference/Scope – Follow UP on February 29, 2016 Matter**
- C-2016.26 Transactional Committee: Process Update**

**Rise and recess from Closed Meeting (6:55 p.m.)**

**Open Meeting (7:00 p.m.)**

## Attendance

Council: Mayor C. Guthrie  
Councillor P. Allt  
Councillor B. Bell  
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Councillor C. Downer  
Councillor D. Gibson  
Councillor J. Gordon  
Councillor J. Hofland  
Councillor M. MacKinnon  
Councillor L. Piper  
Councillor M. Salisbury  
Councillor A. Van Hellemond  
Councillor K. Wettstein

Staff: Mr. S. Stewart, Deputy CAO of Infrastructure, Development and Enterprise  
Mr. T. Salter, General Manager, Planning, Urban Design & Building Services  
Ms. S. Kirkwood, Manager of Development Planning  
Mr. C. DeVriendt, Senior Development Planner  
Ms. J. Sweeney, Acting Deputy Clerk  
Ms. D. Black, Council Committee Coordinator

Mayor Guthrie called the meeting to order.

## Closed Meeting Summary

Mayor Guthrie addressed the matters discussed in the closed meeting and identified the following:

### **C-2016.23 Governance Committee Update – CAO Contract**

Direction was given to the Mayor.

### **C-2016.24 Labour Relations**

Information was received, direction was given to staff and there is a motion to be considered in open session regarding this matter and will be raised under Special Resolutions for consideration.

### **C-2016.25 Decision Making: Terms of Reference/Scope – Follow Up on February 29, 2016 Matter**

The matter was deferred.

### **C-2016.26 Transactional Committee: Process Update**

Direction was given to staff.

## Disclosure of Pecuniary Interest and General Nature Thereof

There were no disclosures

## Consent Agenda

The following item was extracted:

**CON.2016.11      132 Harts Lane West – Proposed Draft Plan of Subdivision, Official Plan Amendment, and Zoning By-law Amendment (File: 23T14502/OP1401/ZC1406) – Ward 6**

2.      Moved by Councillor Hofland  
          Seconded by Councillor Billings

That the balance of the April 11, 2016 Consent Agenda as identified below, be adopted:

**CON-2016.12      PROPOSED DEMOLITION OF 30 UNIVERSITY AVENUE WEST, WARD 5**

1. That Report 16-19 regarding the proposed demolition of one (1) single detached dwelling at 30 University Avenue West, legally described as Plan 363 Lot 20; City of Guelph, from Infrastructure, Development and Enterprise dated April 11<sup>th</sup>, 2016, is received.
2. That the proposed demolition of one (1) detached dwelling at 30 University Avenue West be approved.
3. That the applicant be requested to prepare and submit a Tree Preservation Plan in accordance with the City of Guelph Official Plan (Urban Forest policies) prior to undertaking activities which may injure or destroy trees.
4. That the applicant be requested to erect protective fencing at one (1) metre from the drip line of any existing trees to be retained on the property or on adjacent properties, which may be impacted by demolition or construction activities.
5. That the applicant be requested to contact the City's Environmental Planner to inspect the tree protection fence prior to demolition and/or site alteration commencing.
6. That if demolition is to occur during breeding bird season (approximately May 1 to July 31), a nest search be undertaken by a wildlife biologist prior to demolition so as to protect the breeding birds in accordance with the Migratory Birds Convention Act (MBCA) prior to any works occurring.
7. That the applicant be requested to contact the General Manager of Solid Waste Resources, within Infrastructure, Development and Enterprise regarding options for the salvage or recycling of all demolition materials.

**CON-2016.13 YORK TRUNK SEWER & PAISLEY-CLYTHE FEEDERMAIN PHASE 2A AND WATERWORKS PLACE IMPROVEMENTS - CONTRACT NO. 2-1606**

1. That the tender from Coco Paving Inc. be accepted and that the Mayor and Clerk be authorized to sign the agreement for Contract No. 2-1606 for York Trunk Sewer & Paisley-Clythe Feedermain Phase 2A and Waterworks Place Improvements for a total tendered price of \$14,646,450.52 with actual payment to be made in accordance with the terms of the contract.

**CON-2016.14 REPORT TO THE CITY OF GUELPH REGARDING AN ALLEGATION OF AN IMPROPERLY CLOSED MEETING OF COUNCIL FOR THE CITY OF GUELPH ON JANUARY 25, 2016**

1. That the report to the City of Guelph regarding an allegation of an improperly closed meeting of council for the City of Guelph on January 25, 2016 be received.

*VOTING IN FAVOUR: Mayor Guthrie, Councillors Allt, Bell, Billings, Downer, Gibson, Gordon, Hofland, MacKinnon, Piper, Salisbury, Van Hellemond and Wettstein (13)*  
*VOTING AGAINST (0)*

CARRIED

**Planning Public Meeting**

Mayor Guthrie announced that in accordance with The Planning Act, Council is now in a public meeting for the purpose of informing the public of various planning matters. The Mayor asked if there were any delegations in attendance with respect to the planning matters listed on the agenda.

**45 Yarmouth Street: Proposed Zoning By-law Amendment (File: ZC1604) - Ward 1**

Chris DeVriendt, Senior Development Planner advised the applicant is requesting to change the zoning from the existing CBD1 (Central Business District) Zone to a CBD.1-? (Specialized Central Business District) to permit the development of a 14 storey apartment building containing approximately 89 dwelling units, and requesting twenty parking spaces in the Baker Street Parking Lot. He addressed the pedestrian and vehicular access, waste collection, the urban design, and sight line concerns. He stated staff will establish a framework for the bonusing provisions and community benefit requirements and will report back to Council. He also advised housing and employment targets, urban design guidelines, access points, the Baker Street development, community benefit requirements, sight lines, the Downtown Secondary Plan, aesthetics of the top of the building, SEPTED analysis, parking relocation during construction, elevation diagrams including landscaping, the Community Energy Initiative and commercial use possibilities will be reviewed.

Dave Hannam, representing the applicant advised there will be a mix of one and two bedroom rental units and they are requesting a site specific exemption to include an apartment building as a permitted use. He explained the issues with the current

parking spots and advised they want to provide a 1:1 parking ratio. He addressed the sight lines, building height, angular planes, commercial frontage issues, waste collection, pedestrian access, boulevard enhancements and traffic impacts. He noted they are willing to discuss the community benefit component and inclusion of affordable housing units and acknowledged the need for close proximity parking during construction.

Raza Mehdi, on behalf of the applicant explained the building design and materials and addressed urban design concerns. He explained that the second parking entrance is to prevent cross parking and protection of the 55 Yarmouth Street parking.

Charles Minett, a practitioner on Yarmouth Street stated there are a number of practitioners on Yarmouth Street and a group on Norfolk Street that rely on curbside parking for their elderly and disabled patients and he is concerned about the parking impact. He raised concerns about site lines, possible intimidation when walking on Baker Street, as well as the distance to walk if no cross-site pedestrian access is available. He wants the heritage of the buildings incorporated and the development to be a maximum of half the height of what is proposed.

Chris Bisson, property owner on Yarmouth Street stated the 69 parking spots are insufficient for the development. He raised issues regarding waste collection and traffic impacts, particularly left hand turns onto Woolwich Street during peak periods. He believes development and parking decisions should be deferred until the Baker Street development has been determined.

Ken Chase, an interested resident would prefer commercial use on the second floor and retail use on the first floor. He addressed the removal of Baker Street pedestrian access, the walkability of the site, the number of entrances and parking issues. He stated the Baker Street development should be determined before any parking allocation decisions are addressed.

Suzanne Marshall, a Yarmouth Street resident requested that special event, evening and weekend parking be given consideration when determining parking allocation.

3. Moved by Councillor Bell  
Seconded by Councillor Gibson

That Report 16-22 regarding a proposed Zoning By-law Amendment application (File: ZC1604) by Zelinka Priamo Ltd. on behalf of Ayerswood Development Corporation to permit the development of a 14 storey, 89 unit apartment building on the property municipally known as 45 Yarmouth Street and legally described as Parts 1 to 6, Plan 61R-4481, also known as Part of Lots 90 and 91, Canada Company Survey Registered Plan No. 8, City of Guelph, County of Wellington, from Infrastructure, Development and Enterprise dated April 11, 2016, be received.

*VOTING IN FAVOUR: Mayor Guthrie, Councillors Allt, Bell, Billings, Downer, Gibson, Gordon, Hofland, MacKinnon, Piper, Salisbury, Van Hellemond and Wettstein (13)*  
*VOTING AGAINST (0)*

CARRIED

The meeting recessed at 8:45 p.m. and reconvened at 8:53 p.m.

### **Extracted Consent Items**

#### **132 Harts Lane West – Proposed Draft Plan of Subdivision Official Plan Amendment and Zoning**

Laura Murr, city resident raised the issue of equitable handling of developments on wetlands and addressed the need to protect the buffer zones. She suggested the City's Official Plan needs to be amended to allow the City to receive cash-in-lieu for bonusing. She also addressed the lack of setbacks to protect the boundary trees.

Brett Walkling, nearby resident stated the 10 storey building does not fit with the current landscape of the neighbourhood and suggested a building of four storeys would be more appropriate. He also addressed traffic concerns that would result from the number of units and believes the developer could find a way to develop the lands within existing regulations.

Astrid Clos, on behalf of the applicant advised that just under 30% of the land is being conveyed to the City for parkland purposes and the wetland buffer conforms to the Natural Heritage Strategy and Official Plan for the City. She explained the building height rationale and the park and trail locations.

Andrew Lambden, applicant provided details of the environmentally-friendly homes they intend to build and the improvements made to the property to date. He stated they will be donating funds for trails and using the Hart farm barn boards and beams within the community, and the design of the community use building will honour the Hart family. He explained the water recharge and runoff system, trail and park plans and the street names.

4. Moved by Councillor Downer  
Seconded by Councillor Allt

1. That the application from Astrid J. Clos Planning Consultants on behalf of Terra View Custom Homes Ltd. for approval of a proposed Draft Plan of Residential Subdivision consisting of 342 residential units, consisting of 117 single detached dwellings, 4 semi-detached dwellings, 68 cluster townhouse units, and 153 apartment units, an open space block, two stormwater management blocks, a walkway/servicing block, a walkway block and a park block, as shown on Attachment 5, applying to property municipally known 132 Harts Lane West and legally described as Part of Lot 4, Concession 7 (formerly Township of Puslinch), City of Guelph, be approved for a five (5) year period in accordance with Schedule 1 attached hereto.
2. That the application by Astrid J. Clos Planning Consultants on behalf of Terra View Custom Homes Ltd. for approval of an Official Plan Amendment to add an exemption clause to Section 7.2.32 of the Official Plan to allow the apartment block (Block 121) to have a net density to not exceed 152 units per hectare, be approved, in accordance with Schedule 1 attached hereto.

3. That the Development Agreement outlining the owner's commitment to satisfy the City that the Neighbourhood Club use applying exclusively to Lot 58 within Draft Plan of Subdivision 23T14502 will be operated and maintained in a manner that meet the intent of the zoning by-law between The Corporation of the City of Guelph and Terra View Custom Homes Ltd. be executed by the Mayor and Clerk.
4. That the application by Astrid J. Clos Planning Consultants on behalf of Terra View Custom Homes Ltd. for approval of an Zoning By-law Amendment from the UR (Urban Reserve) Zone to the R.1D-? (Specialized Single Detached Residential) Zone, R.1C-? (Specialized Single Detached Residential) Zone, R.1C-28 (Specialized Single Detached Residential) Zone, R.2-? (Specialized Semi-Detached/Duplex Residential) Zone, R.2-3 (Specialized Semi-Detached/Duplex Residential) Zone, R.3A-? (Cluster Townhouse) Zone, R.4B-? (Specialized Apartment) Zone, P.1 (Conservation Land) Zone, P.2 (Neighbourhood Park) Zone, and WL (Wetland) Zone to implement a residential Draft Plan of Subdivision comprising 342 residential units, be approved, in accordance with Schedule 1 attached hereto.
5. That Council direct staff to prepare a report to Council describing the proponent's Conservation Plan for the Hart farmhouse and with recommendations regarding Council's intention to designate the Hart farmhouse under Part IV of the Ontario Heritage Act.
6. That in accordance with Section 34(17) of the Planning Act, City Council has determined that no further public notice is required related to the minor modifications to the proposed Zoning By-law Amendment affecting 132 Harts Lane West.

*VOTING IN FAVOUR: Mayor Guthrie, Councillors Allt, Bell, Billings, Downer, Gibson, Gordon, Hofland, MacKinnon, Piper, Salisbury, Van Hellemond and Wettstein (13)*  
*VOTING AGAINST (0)*

CARRIED

### **Special Resolutions**

5. Moved by Councillor Hofland  
Seconded by Councillor Piper

That the Memorandum of Agreement between the City of Guelph and CUPE Locals 973 and 241 on file with Human Resources be approved.

*VOTING IN FAVOUR: Mayor Guthrie, Councillors Allt, Bell, Billings, Downer, Gibson, Gordon, Hofland, MacKinnon, Piper, Salisbury, Van Hellemond and Wettstein (13)*  
*VOTING AGAINST (0)*

CARRIED

**By-laws**

6. Moved by Councillor Billings  
Seconded by Councillor Bell

That By-law Number (2016) – 20033 to (2016) - 20040, inclusive are hereby passed.

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

*VOTING AGAINST: (0)*

CARRIED

**Adjournment (9:45 p.m.)**

7. Moved by Councillor Bell  
Seconded by Councillor Hofland

That the meeting be adjourned.

CARRIED

*Minutes to be confirmed on May 24, 2016.*

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Mayor Guthrie

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Joyce Sweeney, Acting Deputy Clerk



## **Draft Plan of Subdivision Conditions, Official Plan and Zoning**

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

"THAT the application by Astrid J. Clos Planning Consultants on behalf of Terra View Custom Homes Ltd. for approval of a proposed Draft Plan of Residential Subdivision applying to property municipally known 132 Harts Lane West and legally described as Part of Lot 4, Concession 7 (formerly Township of Puslinch), City of Guelph, be approved, subject to the following conditions:

#### **CITY CONDITIONS**

1. That this approval applies only to the draft plan of subdivision prepared by Astrid J. Clos Planning Consultants, dated December 17, 2015, as shown in Attachment 5, including road widenings and reserves. The Developer shall convey a 0.3 metre reserve adjacent to Kortright Road West outside of the right-of-way.

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

2. The Developer shall complete a **tree inventory, preservation and compensation plan**, satisfactory to the General Manager of Planning, Urban Design and Building Services, in accordance with the City of Guelph By-law (2010)-19058, prior to any tree removal, grading or construction on the site.
3. The Developer shall obtain a **site alteration permit** in accordance with City of Guelph By-law (2007)-18420 to the satisfaction of the City Engineer if grading/earthworks is to occur prior to entering into the subdivision agreement.
4. The Developer shall prepare and implement a **construction traffic access and control plan** for all phases of servicing and building construction to the satisfaction of the City Engineer. Any costs related to the implementation of such a plan shall be borne by the Developer.
5. The Developer agrees that no work, including, but not limited to **tree removal, grading or construction**, will occur on the lands until such time as the Developer has obtained written permission from the City Engineer or has entered into a subdivision agreement with the City.
6. The Developer shall enter into an **Engineering Services Agreement** with the City, satisfactory to the City Engineer.
7. The Developer shall prepare an overall **site drainage and grading plan**, satisfactory to the City Engineer, for the entire subdivision. Such a plan will be used as the basis for a detailed lot grading plan to be submitted prior to the issuance of any building permit within the subdivision.

8. The Developer shall construct, install and maintain **erosion and sediment control** facilities, satisfactory to the City Engineer, in accordance with a plan that has been submitted to and approved by the City Engineer.
9. The Developer shall retain a qualified **environmental inspector**, satisfactory to the City, to inspect the site during all phases of development and construction including grading, servicing and building construction. The environmental inspector shall monitor and inspect the erosion and sediment control measures and procedures. The environmental inspector shall report on their findings to the City.
10. The Developer shall submit a detailed **Storm Water Management Report and Plans** to the satisfaction of the City Engineer which shows how storm water will be controlled and conveyed to the receiving water body. The report and plans shall address the issue of water quantity and quality in accordance with recognized best management practices, Provincial Guidelines, the City's "Design Principles for Storm Water Management Facilities" and the Storm Water Management Design Report for the applicable watershed. Maintenance and operational requirements for any control and/or conveyance facilities must be described.
11. The Developer shall submit a **Hydrogeological Study** to the satisfaction of the City Engineer which shows how pre-development infiltration will be maintained under post-development conditions.
12. 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.
13. The Developer shall **stabilize all disturbed soil** within 90 days of being disturbed, control all noxious weeds and keep ground cover to a maximum height of 150 mm (6 inches) until the release of the development agreement on the block/lot so disturbed.
14. The Developer acknowledges that the City does not allow **retaining walls higher than 1.0 metre** abutting existing residential properties without the permission of the City Engineer.
15. The Developer shall prepare an **Environmental Implementation Report (EIR)** based on terms of reference approved by the City and Grand River Conservation Authority (GRCA).
  - a. The EIR will provide details with respect to: stormwater management and wetland water balance mitigation; on-going shallow groundwater monitoring in the vicinity of the wetland and a related monitoring program pre and post development; design details regarding the reconstruction of

Harts Lane; detailed tree management plans including Landscaping, Replanting and Replacement Plan and detailed landscape plans (by an accredited landscape architect); detailed habitat management plans including invasive species management, buffer enhancement/design and mitigation plans for wildlife habitat; education and stewardship information; detailed mitigation plans to support the trail and detailed trail design; a salt management plan; and, an ecological monitoring program that includes pre and post development monitoring, baseline data, identifies thresholds and associates measures; a monitoring program for terrestrial crayfish; grading, drainage and erosion and sediment control plans, and any other information to implement recommendations from the Environmental Impact Study dated April 8, 2015 and Addendum dated December 2015. As well, the EIR will include and will address the Grand River Conservation Authority comments from their letters dated August 8, 2014 and July 29, 2015.

- b. The Developer shall complete a Tree Inventory, Preservation and Compensation Plan, satisfactory to the General Manager of Planning, Urban Design and Building Services and in accordance with the City of Guelph Bylaw (2010)-19058 prior to any grading, tree removal or construction on the site.
- c. The Developer will undertake a post-development monitoring program as detailed in the Environmental Implementation Report to the satisfaction of the General Manager of Planning, Urban Design and Building Services.

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

- 16. Prior to any construction or grading on the lands, the Developer shall submit a **Phase 1 Environmental Site Assessment** in accordance with the Record of Site Condition regulation (O. Reg. 153/04 as amended), describing the current conditions of the property to the satisfaction of the City. The City also requires the Qualified Person responsible for preparing the Phase I Environmental Site Assessment to submit a reliance letter to indicate that, despite any limitations or qualifications included in the report, the City is authorized to rely on all information and opinion provided in the report.
- 17. If contamination is found, prior to any construction or grading on the lands, the Developer shall complete the following at their expense:
  - a. Submit all environmental assessment reports, including reliance letter, prepared in accordance with the Record of Site Condition (O. Reg. 153/04, as amended) describing the current conditions of the land to be developed and the proposed remedial action plan to the satisfaction of the City;

- b. Complete any necessary remediation work in accordance with the accepted remedial action plan and submit certification from a Qualified Person that the lands to be developed meet the Site Condition Standards of the intended land use; and
- c. File a Record of Site Condition on the Provincial Environmental Registry for lands to be developed and submit the MOECC acknowledgement letter for the Record of Site Condition to the satisfaction of the General Manager/City Engineer.

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

- 18. 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.
- 19. The Developer shall have **engineering drawings** and final reports prepared for the approval of the City Engineer.
- 20. With the exception of any share determined by the City to be the City's share in accordance with Its by-laws and policies, the Developer is responsible for the total **cost of the design and construction of all municipal services** within and external to the subdivision that are required by the City to service the lands within the plan of subdivision including such works as sanitary facilities, storm facilities, water facilities, walkways and road works including sidewalks, boulevards and curbs, with the distance, size and alignment of such services to be determined by the City, including but not limited to (a) sidewalk on Kortright Road West abutting the plan, (b) trunk sanitary sewer from its present terminus on Carrington Place to the property limits of the subdivision at Harts Lane, (c) trunk sanitary sewer from the subdivision property limits across the existing Harts Lane right-of-way to the existing sewer on the east side of the wetland, (d) watermain from the subdivision property limits across the existing Harts Lane right-of-way to the east side of the wetland. This also includes the Developer paying the cost of the design, construction and removal of any works of a temporary nature including temporary cul-de-sacs, sewers, stormwater management facilities, watermains and emergency accesses.
- 21. 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.
- 22. The Developer shall submit a **Traffic Impact Study** including sight line distances and daylighting triangles at the street corners to the satisfaction of the City Engineer and shall implement the recommendations of the Study to the satisfaction of the City Engineer.
- 23. The Developer shall pay the cost of supplying and erecting **street name and traffic control signs** in the subdivision, to the satisfaction of the City.

24. The Developer shall prepare a **street tree planting plan** and implement such plan to the satisfaction of the City Engineer.
25. The Developer shall pay to the City the cost of installing **bus stop pads** at locations to be determined by Guelph Transit.
26. The Developer shall provide an **On-Street Parking Plan** for the subdivision to the satisfaction of the City Engineer.
27. The **site plans for all corner building lots**, as determined by the City, shall be submitted to the City for approval of driveway location.
28. The Developer shall pay the cost of the installation of one Second Order **Geodetic Benchmark** within the proposed subdivision to the satisfaction of City Engineer.
29. The Developer shall be responsible for the cost of design and development of the **Basic Park Development** as per the City of Guelph current "Specifications for Parkland Development", which includes clearing, grubbing, topsoiling, grading, sodding and any required servicing including water, storm, sanitary and hydro for any phase containing a Park block to the satisfaction of the Deputy CAO of Public 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 Basic Park Development for the Park Block to the satisfaction of the Deputy CAO of Public Services.
30. The Developer shall be responsible for the cost of design and development of the **demarcation** of all lands conveyed to the City in accordance with the City of Guelph Property Demarcation Policy. This shall include the submission of drawings 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 Deputy CAO of Public 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 Deputy CAO of Public Services. All fencing shall be installed following grading operations and property lines must be accurately surveyed and clearly marked in the field prior to establishing all fence line locations. Fences shall be erected directly adjacent to the established property line within the City owned lands.
31. The Developer shall be responsible for the cost of design and implementation of the **Open Space Works and Restoration** in accordance with the "Environmental Implementation Report" to the satisfaction of the Deputy CAO of Public Services. 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 Architects (OALA) member for approval to the satisfaction of the Deputy CAO of Public Services. The Developer shall provide the City with **cash or letter of credit** to cover the City approved estimate for the cost of the Open Space works and restoration for the City lands to the satisfaction of the Deputy CAO of Public Services.

32. The Developer shall design and develop the **Storm Water Management Facility Landscaping** in accordance with the City's current "Design Principles for Storm Water Management Facilities" to the satisfaction of the Deputy CAO of Public Services and the City Engineer. This shall include the submission of drawings and the administration of the construction contract up to the end of the warranty period completed by an Ontario Association of Landscape Architects (OALA) member for approval to the satisfaction of the Deputy CAO of Public 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 Storm Water Management Facility Landscaping for the City lands to the satisfaction of the Deputy CAO of Public Services.
33. The Developer shall be responsible for the cost of detailed design of the **Pedestrian Trail System** for the Storm Water Management & Open Space Blocks and the **Walkway Block**. This shall include obtaining any required permits, submitting drawings for approval, identifying the trail system, trail gates, trail and interpretative signage, rest areas, bridges and abutments, ramps, guard and hand rails, retaining walls and trail design details, to the satisfaction of the Deputy CAO of Public Services and the City Engineer. This shall include the submission of drawings for approval completed by a full member, with seal, of Ontario Association of Landscape Architects (OALA) member to the satisfaction of the Deputy CAO of Public Services.
34. The Developer shall provide to the City the completed **FADM Design Checklist** and Technical Infeasibility Justification Forms for any trails that do not meet Accessibility Standards to the satisfaction of the Deputy CAO of Public Services.
35. The Developer shall be responsible for the cost of design and development of the **Harts Lane Trail and Walkway Block**, including rough and fine grading and drainage, trail surfacing, trail subbase, any associated infrastructure (trail gates, trail and interpretative signage, rest areas, bridges and abutments, ramps, guard and hand rails, retaining walls) and sodding/seeding to the satisfaction of the Deputy CAO of Public Services. The easterly extent of the Harts Lane Trail development shall be to the extent of water and sewer main work in Harts Lane. The Walkway Block development shall include the full extent of the walkway up to the adjoining sidewalks. The Developer shall provide the City with **cash or letter of credit** to cover the City approved estimate for the cost of development of these trails to the satisfaction of the Deputy CAO of Public Services.
36. Developer shall provide Infrastructure, Development and Enterprise with a **digital file** in AutoCAD - DWG format or DXF format containing the as built information: parcel fabric, street network, grades and contours and landscaping of the park, trails, open space and storm water management blocks.

37. The Developer shall implement the recommended conservation plan contained in the **Heritage Impact Assessment** conducted by The Landplan Collaborative Ltd. for 132 Harts Lane West (dated February 6, 2013) as received by Heritage Guelph at their meeting of February 11, 2013. Further, prior to the registration of the plan, the heritage farmhouse shall be designated under Part IV of the Ontario Heritage Act.
38. The Developer shall **phase the subdivision** to the satisfaction of the City. Such phasing shall conform to the current Development Priorities Plan.
39. The Owner acknowledges and agrees that the dwelling units on the subject site will be constructed to a standard that promotes energy efficiency in order to comply with the **Community Energy Initiative**, to the satisfaction of the City in accordance with the letter attached as Attachment 11 from Infrastructure, Development and Enterprise Report 16-23 dated April 11, 2016

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

40. 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.
41. The Developer shall enter into a **Subdivision Agreement**, to be registered on title, to the satisfaction of the City Solicitor, which includes all requirements, financial and otherwise to the satisfaction of the City of Guelph.
42. 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".
43. 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.
44. The Developer shall pay any **outstanding debts** owed to the City.
45. The Developer shall pay **development charges** to the City in accordance with By-law Number (2014) - 19692, as amended from time to time, or any successor thereof and in accordance with the Education Development Charges By-laws of the Upper Grand District School Board (Wellington County) and the Wellington Catholic District School Board as amended from time to time, or any successor by-laws thereto.

46. The Developer shall erect and maintain **signs** at specified entrances to the subdivision showing the proposed land uses and zoning of all the lots and blocks within the proposed subdivision and predominantly place on such signs the wording "For the zoning of all lands abutting the subdivision, inquiries should be directed to Planning Services, City Hall". The signs shall be resistant to weathering and vandalism.
47. The Developer shall place the following **notifications** in all offers of purchase and sale for all lots and/or dwelling units and agrees that these same notifications shall be placed in the City's subdivision agreement to be registered on title:
- a. "Purchasers and/or tenants of specified lots are advised that sump pumps will be required for every lot unless a gravity outlet for the foundation drain can be provided on the lot in accordance with a certified design by a Professional Engineer. Furthermore, all sump pumps must be discharged to the rear yard."
  - b. "Purchasers and/or tenants of 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."
  - c. "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."
  - d. "Purchasers and/or tenants of all lots or units abutting City owned lands are advised that abutting City owned lands may be fenced in accordance with the current standards and specifications of the City."
  - e. "Purchasers and/or tenants of all lots or units abutting City owned lands are advised that no private gates will be allowed into Blocks 123, 124 and 126 and Lots 43-58 that abut these Blocks and Lots."
  - f. "Purchasers and/or tenants of all lots or units are advised that a public trail will be installed or exists abutting or in close proximity to Blocks 120, 122 and Lots 40-58 and that public access to this trail will occur between Blocks 120 and 122 and Lots 50 and 51."
  - g. "Purchasers and/or tenants of all lots are 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."



- h. "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."
  - i. "Purchasers and/or tenants of all lots are advised that the Park Block has been designed for active public use and may include sportsfields, playgrounds, trails and other park amenities. Be advised that the City may carry out regular maintenance such as grass cutting. Periodic maintenance may also occur from time to time to support the park functions."
  - j. "Purchasers and/or tenants of all lots or units are advised that the boundaries of the open space, walkway, 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. The Developer shall also send written notification of proposed demarcation types to any existing homeowners in lots adjacent to open space, walkway, stormwater management and park blocks."
48. The Developer agrees to provide temporary signage describing the existing/proposed park, open space, trail and required fencing on all entrance signs for the development, at the street frontage of park block 122 and open space block(s) 123 and 126, and entrance/exit of trails, to the satisfaction of the General Manager of Planning, Urban Design and Building Services. The signage shall:
- advise prospective purchasers of dwellings in the area of the type of park, open space and/or trail and level of maintenance of these parcels of land by the City;
  - clearly state that the maintenance of the park block and/or trail are the responsibility of the Developer until such time as the City accepts the park and/or trail, and partially releases the associated Letter of Credit; and
  - clearly state that all questions relating to the maintenance of the park block and/or trail shall be directed to both the Developer and the City.

The signage shall be erected when rough grading on and adjacent to the building lots has begun and must be maintained by the Developer until acceptance of the Blocks by the City. The Developer further agrees that the proposed park block, open space block(s), trails and fencing be identified on any marketing or promotional materials

49. The Developer shall dedicate **Block 122** for park purposes in accordance with the provisions of City of Guelph By-law (1989)-13410, as amended by By-law (1990)-13545, By-Law (2007- 18225), or any successor thereof.

50. The Developer acknowledges that the final design of the **Harts Lane Trail and Walkway Block** may necessitate changes to the lot and block lines that are shown on the Draft Plan of Subdivision. The Developer shall be responsible for all costs associated with these lot and block line changes.
51. The Developer agrees to eliminate the use of any **covenants that would restrict the use of clotheslines** and that prior to the registration of all or any portion of the plan, the Developer's lawyer shall certify to the General Manager of Planning, Urban Design and Building Services that there are no restrictive covenants which restrict the use of clotheslines.
52. The Developer shall ensure that all **telephone service and cable TV service** in the plan shall be underground. The Developer shall enter into a servicing agreement with the appropriate service providers to provide for the installation of underground utility services for the Lands.
53. The Developer shall ensure that **street lighting** and underground wiring shall be provided throughout the subdivision at the Developer's expense and in accordance with the policies of the City of Guelph and Guelph Hydro Electric Systems Inc.
54. That site plans for all corner building lots, as determined by the City Engineer, shall be submitted to the City Engineer for approval of **driveway location**.
55. The Developer shall pay to the City, the total cost of reproduction and distribution of the **Guelph Residents Environmental Handbook**, to all future residents within the plan, with such payment based on a cost of one handbook per residential dwelling unit as determined by the City.
56. The Developer shall provide the City with a **letter of credit** to cover the City approved cost estimate for the **post-development monitoring program** to the satisfaction of the General Manager of Planning, Urban Design and Building Services.

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

57. All **Stage 1 Services** are to be constructed to the satisfaction of the City Engineer.
58. 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.
59. 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.

60. The Developer shall submit a report prepared by a Professional Engineer to the satisfaction of the Chief Building Official providing an opinion on the presence of **soil gases (Radon and Methane)** in the plan in accordance with applicable provisions contained in the Ontario Building Code.

**AGENCY CONDITIONS:**

61. Prior to any grading or construction on the site and prior to the registration of the plan, the owners or their agents shall submit the following plans and reports to the satisfaction of the **Grand River Conservation Authority**:

- i. A detailed storm water management report in accordance with the 2003 Ministry of Environment Report entitled, "Stormwater Management Practices Planning and Design Manual" and in keeping with the Preliminary Servicing & Stormwater Management Report (dated May 22, 2015, prepared by GM BluePlan Engineering).
- ii. An erosion and siltation control plan in accordance with the Grand River Conservation Authority Guidelines for sediment and erosion control, indicating the means whereby erosion will be minimized and silt maintained on site throughout all phases of grading and construction.
- iii. Detailed lot grading and drainage plans showing existing and proposed grades.
- iv. An Environmental Implementation Report (EIR) to the satisfaction of the Grand River Conservation Authority in consultation with the City. The EIR should include the above noted reports, monitoring and mitigation outlined in the EIS. The EIR should also provide on-going shallow groundwater monitoring in the vicinity of the wetland and a recommended monitoring program pre and post development.
- v. The submission and approval of a Development, Interference with Wetlands and Alterations to Shorelines and Watercourses permit from the GRCA prior to any grading within the regulated area.

62. That the subdivision agreement between the owners and the municipality contain provisions for:

- a) The completion and maintenance of the works in accordance with the approved plans and reports contained in Condition 59.

63. 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.
64. 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.
65. 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.
66. 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.
67. 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 prospective residents that students may be directed to schools outside the neighbourhood.
68. The Developer shall satisfy all requirements and conditions of **Canada Post** including advisories and suitable mailbox locations. The Developer shall ensure that the eventual lot/home owner is advised in writing by the developer / subdivider / builder that Canada Post has selected the municipal easement to their lot for a Community Mail Box installation and the developer shall be responsible for the installation of concrete pads in accordance with the requirements of Canada Post, in locations to be approved by Canada Post to facilitate the placement of Community Mail Boxes.

**NOTES:** That this **Draft Plan Approval shall lapse** at the expiration of 5 years from the date of issuance of Draft Plan approval.

That prior to the registration of all or any portion of the plan, the **Grand River Conservation Authority** shall advise the City in writing how conditions 61 and 62 have been satisfied.

That prior to the registration of all or any portion of the plan, the **Wellington Catholic District School Board** shall advise the City in writing how condition 64 has been satisfied.

That prior to the registration of all or any portion of the plan, **Upper Grand District School Board** shall advise the City in writing how conditions 65-67 have been satisfied.

That prior to the registration of all or any portion of the plan, **Guelph Hydro Electric Systems Inc**, shall advise the City in writing how conditions 53 and 58 have been satisfied.

That prior to the registration of all or any portion of the plan, **Canada Post** shall advise the City in writing how condition 68 has been satisfied.

AND

**PART B: OFFICIAL PLAN AMENDMENT**

THAT the application by Astrid J. Clos Planning Consultants on behalf of Terra View Custom Homes Ltd. for approval of an Official Plan Amendment to add the following exemption clause in Section 7.2.32 of the Plan to allow the net density of development to not exceed 152 units per hectare within the 1.02 hectare apartment block (Block Number 121) of the residential draft plan of subdivision shown in Attachment 5, affecting the lands municipally known as 132 Harts Lane West and legally described as Part of Lot 4, Concession 7 (formerly Township of Puslinch), City of Guelph, be approved:

“In spite of the density provisions of policy 7.2.32 the net density of development within apartment Block 121 of Draft Plan of Subdivision 23T-14502 on lands known municipally as 132 Harts Lane West shall not exceed 152 units per hectare.”

AND

**PART C: ZONING REGULATIONS**

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

LOTS/BLOCKS	LAND USE	ZONING
Lots 1-2, 5-18, 20, 25-35, 59-71, 74-78, 83-99, 101, 103-113, 119	Single Detached Residential	R.1D-50
Lots 19, 21-24, 36-39, 43-57, 72-73, 79-82, 100, 102, 114-118	Single Detached Residential	R.1C-28
Lot 58	Single Detached Residential	R.1C-30
Lots 3-4	Semi-Detached Residential	R.2-27
Lots 40-42	Semi-Detached Residential	R.2-3
Block 120	Cluster Townhouses	R.3A-59
Block 121	Apartment	R.4B-19
Block 122	Neighbourhood Park	P.2
Blocks 123, 124	Stormwater Management	P.1
Block 125	Walkway/Serviceing	P.1
Block 126	Open Space and Wetland	P.1 and WL
Block 127	Walkway	P.2

1. Section 5.1.3.3 of By-law Number (1995)-14864, as amended, is hereby further amended by adding a new subsection 5.1.3.3.30:

5.1.3.3.30      **R.1C-30**

As shown on Defined Area Map Number 29 of Schedule “A” of this *By-law*.

5.1.3.3.30.1      Permitted Uses

In accordance with the *Uses* permitted by Section 5.1.1 of *By-law* Number (1995)-14864, as amended, with the following addition:

***Neighbourhood Club***

For the purposes of the R.1C-30 Zone, ***Neighbourhood Club*** is defined as a ***Place*** used as a private facility that serves the neighbourhood and is operated by members of a not-for-profit organization that maintains formal membership for community, social, literary, recreational or cultural purposes and permits a neighbourhood guest facility up to a maximum of two guest suites for the exclusive use of the not-for-profit organization. The *Use* does not include uses that are normally carried out as a commercial enterprise and does not include an ***Amusement Park, Arena or Public Hall, Gaming Establishment or Religious Establishment***

5.1.3.3.30.2      Regulations

In accordance with Section 5.1.2 and Table 5.1.2 (Residential Single Detached) *Zone* regulations of *By-law* Number (1995)–14864, as amended, with the following additions and exceptions:

- 5.1.3.3.30.2.1 Minimum Front Yard  
The minimum *Front Yard* shall be 4.5 metres to *Habitable Floor Space* and 6 metres to the front wall of the *Garage*.
- 5.1.3.3.30.2.2 Minimum Side Yard  
The minimum *Side Yard* shall be 0.6 metres on one side and 1.2 metres on the other side.
- 5.1.3.3.30.2.3 Development Regulations for Neighbourhood Club
- The *Neighbourhood Club Use* shall only be permitted within the existing heritage *Building*
  - Minimum of two off-street *Parking Spaces* shall be required
  - The *Neighbourhood Club Use* shall not be permitted in association with any other permitted *Use*
2. Section 5.1.3.4 of By-law Number (1995)-14864, as amended, is hereby further amended by adding a new subsection 5.1.3.4.50:
- 5.1.3.4.50 R.1D-50  
As shown on Defined Area Map Number 29 of Schedule “A” of this *By-law*.
- 5.1.3.4.50.1 Permitted Uses  
In accordance with the *Uses* permitted by Section 5.1.1 of *By-law* Number (1995)-14864, as amended.
- 5.1.3.4.50.2 Regulations  
In accordance with Section 5.1.2 and Table 5.1.2 (Residential Single Detached) *Zone* regulations of *By-law* Number (1995)–14864, as amended, with the following additions and exceptions:
- 5.1.3.4.50.2.1 Minimum Front Yard  
The minimum *Front Yard* shall be 4.5 metres to *Habitable Floor Space* and 6 metres to the front wall of the *Garage*.
- 5.1.3.4.50.2.2 Driveway Width  
A *Lot* with a *Lot Frontage* of 11 metres or greater shall have a maximum *Driveway* width of 6 metres.
- 5.1.3.4.50.2.3 Minimum Side Yard  
Where a rear yard catch basin and storm lateral is located, the minimum *Side Yard* shall be 1.5 metres for that *Side Yard* and the other *Side Yard* shall be a minimum of 0.6 metres. The adjacent *Lot* shall also have a minimum *Side Yard* of 1.5 metres where it abuts a *Side Yard* containing a storm lateral, so as to provide a combined minimum total of 3.0 metres.

3. Section 5.2.3.1 of By-law Number (1995)-14864, as amended, is hereby further amended by adding a new subsection 5.2.3.1.27:

- 5.2.3.1.27        **R.2-27**  
As shown on Defined Area Map Number 29 of Schedule “A” of this *By-law*.
- 5.2.3.1.27.1      **Permitted Uses**  
In accordance with the *Uses* permitted by Section 5.2.2 of *By-law* Number (1995)-14864, as amended.
- 5.2.3.1.27.2      **Regulations**  
In accordance with Section 5.2.2 and Table 5.2.2 (Residential Semi-Detached/Duplex) *Zone* regulations of *By-law* Number (1995)–14864, as amended, with the following additions and exceptions:
- 5.2.3.1.27.2.1    **Minimum Front Yard**  
The minimum *Front Yard* shall be 4.5 metres to *Habitable Floor Space* and 6 metres to the front wall of the *Garage*.
- 5.2.3.1.27.2.2    **Minimum Side Yard**  
The minimum *Side Yard* shall be 0 metres on the common wall and 0.6 metres on the other side.
- 5.2.3.1.27.2.3    **Minimum Side Yard**  
Where a rear yard catch basin and storm lateral is located, the minimum *Side Yard* shall be 1.5 m for that *Side Yard* and the other *Side Yard* shall be a minimum of 0.6 metres. The adjacent *Lot* shall also have a minimum *Side Yard* of 1.5 metres where it abuts a *Side Yard* containing a storm lateral, so as to provide a combined minimum total of 3 meters.

4. Section 5.3.3.1 of By-law Number (1995)-14864, as amended, is hereby further amended by adding a new subsection 5.3.3.1.59:

- 5.3.3.1.59        **R.3A-59**  
As shown on Defined Area Map Number 29 of Schedule “A” of this *By-law*.
- 5.3.3.1.59.1      **Permitted Uses**  
In accordance will the permitted *Uses* outlined in Section 5.3.1.1 of the *By-law*, with the following addition:
- Multiple Attached Dwelling***
- 5.3.3.1.59.2      **Regulations**  
In accordance with all regulations outlined in Section 5.3.2 and Table 5.3.2 (Cluster Townhouse) *Zone* regulations of *By-law* Number (1995)–14864, as amended, with the following additions and exceptions:



- 5.3.3.1.59.2.1 Maximum **Building** Height  
The maximum **building** height within 30 metres of the single detached lots with frontage on Rickson Avenue shall be 2 **Storeys**. The maximum **Building** height for the remainder of the block shall be a maximum of 4 **Storeys**.
- 5.3.3.1.59.2.2 Minimum **Lot Area** per **Dwelling Unit**  
The minimum **Lot Area** per **Dwelling Unit** shall be 167 m<sup>2</sup>.
- 5.3.3.1.59.2.3 Minimum Distance between **Buildings**
- The distance between the front, exterior side and rear face of one **Building** and the front, exterior side and rear face of another **Building**, each of which contains windows of **Habitable Rooms**, shall in no case be less than 12 metres.
  - The distance between the interior **Side Yard** of any two **Buildings** on the same **Lot** shall in no case be less than 3 metres.
5. Section 5.4.3.2 of By-law Number (1995)-14864, as amended, is hereby further amended by adding a new subsection 5.4.3.2.19:
- 5.4.3.2.19 **R.4B-19**  
As shown on Defined Area Map Number 29 of Schedule “A” of this **By-law**.
- 5.4.3.2.19.1 Permitted **Uses**  
In accordance with the **Uses** permitted by Section 5.4.1.1 of **By-law** Number (1995)-14864, as amended.
- 5.4.3.2.19.2 Regulations  
In accordance with Section 5.4.2 and Table 5.4.2 (Residential Apartment) **Zone** of **By-law** Number (1995)–14864, as amended, with the following additions and exceptions:
- 5.4.3.2.19.2.1 **Building** Setbacks  
The minimum **Building** setback from the P.2 **Zone** shall be a minimum of 4.5 metres and a maximum of 8 metres.
- 5.4.3.2.19.2.2 Angular Plane  
Despite Section 4.16, the Angular Plane regulations do not apply.
- 5.4.3.2.19.2.3 Setbacks of Upper **Storeys**
- The eighth **Storey** of the building shall be setback a minimum of 1.8 metres from the **Building** facing the P.2 (Neighbourhood Park) **Zone** and the two adjoining sides.
  - The ninth and tenth **Storeys** shall be setback an additional minimum of 1.8 metres from the eighth **Storey** of the **Building** facing the P.2 (Neighbourhood Park) **Zone** and the two adjoining sides.

5.4.3.2.19.2.4 Minimum *Side Yard*

The minimum *Side Yard* shall be 3 m.

5.4.3.2.19.2.5 Minimum *Common Amenity Area*

The minimum *Common Amenity Area* required shall be 9.8 square metres per unit.

5.4.3.2.19.2.6 Maximum *Floor Space Index*

The maximum *Floor Space Index* shall be 2.3.

5.4.3.2.19.2.7 Maximum Density

The maximum density shall be 152 units per hectare.