



**Minutes of Guelph City Council
Held in the Council Chambers, Guelph City Hall on
Monday, December 8, 2014 at 7:00 p.m.**

Attendance

Council: Mayor Guthrie
Councillor P. Allt
Councillor B. Bell
Councillor C. Billings
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. A. Horsman, Deputy Chief Administrative Officer, Infrastructure, Development & Enterprise
Mr. T. Salter, General Manager, Planning Services
Ms. S. Kirkwood, Manager of Development Planning
Ms. M. Aldunate, Manager of Policy Planning and Urban Design
Ms. T. Agnello, Deputy City Clerk
Ms. D. Black, Council Committee Coordinator

Open Meeting (7:12 p.m.)

Mayor Guthrie called the meeting to order.

Disclosure of Pecuniary Interest and General Nature Thereof

Councillor Allt declared a pecuniary interest regarding 360 Woolwich Street and 15 Mont Street Proposed Zoning By-law Amendment (ZC1407) as he lives in the neighbourhood and did not speak or vote on the matter.

Declaration of Office

Mayor Guthrie acknowledged Councillor Salisbury's Declaration of Office administered at the Council Striking Committee meeting held at 5:30 p.m. and presented him with a Council pin.

Council Consent Agenda

The following items were extracted:

- CON-2014.60 144 Watson Road North: Proposed Zoning By-law Amendment (File: ZC1313) – Ward 1**
 - CON-2014.61 78 Starwood Drive: Proposed Zoning By-law Amendment (File: ZC1315) – Ward 1**
 - CON-2014.62 170 to 178 Elizabeth Street: Proposed Zoning By-law Amendment (File: ZC1410) – Ward 1**
 - CON-2014.63 781 Victoria Road South (formerly 50 Stone Road East): Proposed Official Plan Amendment and Zoning By-law Amendment (File: OP1301/ZC1304) – Ward 5**
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Balance of Council Consent Items

1. Moved by Councillor Piper
Seconded by Councillor Hofland

That the balance of the December 8, 2014 Consent Agenda as identified below, be adopted:

CON-2014.64 1750 Gordon Street: Application for Site Plan Approval for a Temporary Real Estate Sales Office/Trailer in a Mixed Use Commercial Development (File: SP14A056) – Ward 6

1. That Report 14-71 regarding an application for Site Plan Approval submitted by Reid's Heritage Homes Ltd. on behalf of Loblaw Properties Limited proposing a temporary real estate sales office/trailer on the lands municipally known as 1750 Gordon Street, and legally described as Part of Block 64, Plan 61M-65, from Infrastructure, Development and Enterprise dated December 8, 2014, be received.
2. That approval authority for a site plan application submitted by Reid's Heritage Homes Ltd. on behalf of Loblaw Properties Limited proposing a temporary real estate sales office/trailer to be located on a vacant portion of an existing mixed use commercial development on the lands municipally known as 1750 Gordon Street, and legally described as Part of Block 64, Plan 61M-65, be given to the General Manager of Planning Services, subject to resolving the technical issues set out in Attachment 2 of Infrastructure, Development and Enterprise Report 14-71, dated December 8, 2014 to the satisfaction of the General Manager of Planning Services.

CON-2014.65 50 Law Drive: Proposed Zoning By-law Amendment (File: ZC1404) – Ward 1

1. That the application by Dunmill Homes Inc. for approval of a Zoning By-law Amendment from the UR (Urban Reserve) Zone from the UR and R.2-6 zones to the R.1B and R.1C (Single Detached Residential) Zones to permit the development of five (5) single detached dwellings at the property municipally known as 50 Law Drive and legally described as Block 220, 61M-18M & Part Lot 16, Plan 468 Designated As Part 1, 61R-11219 Except Part 1, 61R-11967, City of Guelph, be approved in accordance with the zoning regulations and conditions outlined in Attachment 2 of Infrastructure, Development and Enterprise Report 14-68, dated December 8, 2014.
2. That in accordance with Section 34(17) of the Planning Act, City Council has determined that no further public notice is required related to the minor modifications to the proposed Zoning By-law Amendment affecting 50 Law Drive.

CON-2014.66 95 Couling Crescent: Proposed Zoning By-law Amendment (File: ZC1409) – Ward 2

That the application by Van Harten Surveying Inc., on behalf of Granite Homes Guelph Inc. for approval of a Zoning By-law Amendment from the R.1C (Residential Single Detached) Zone to the R.2 (Residential Semi-Detached/Duplex) Zone to permit the development of a semi-detached dwelling on the property municipally known as 95 Couling Crescent and legally described as Lot 34, Registered Plan 61M-184, City of Guelph, be approved in accordance with

the zoning regulations and conditions outlined in Attachment 2 of Infrastructure, Development and Enterprise Report 14-67, dated December 8, 2014.

**CON-2014.67 300 Grange Road: Request for an Extension of Draft Plan Approval
(File: 23T07505) – Ward 1**

That the application for an extension to the Draft Plan Approval of the subdivision at 300 Grange Road (23T-07505) applying to lands legally described as Part Lot 6 and 7, Registered Plan 53, Division "C", City of Guelph, be approved for a five (5) year period to an extended lapsing date of December 8, 2019, subject to the conditions contained in Attachment 4 of the Infrastructure, Development and Enterprise Report 14-60, dated December 8, 2014.

CON-2014.68 Proposed Demolition of 2 Deerpath Drive – Ward 4

1. That Report 14-70 regarding the proposed demolition of one (1) single detached dwelling at 2 Deerpath Drive, legally described as Plan 866, Lot 44; City of Guelph, from Infrastructure, Development and Enterprise dated December 8, 2014, be received.
2. That the proposed demolition of one (1) detached dwelling at 2 Deerpath Drive be approved.
3. That the applicant be requested to erect protective fencing at one (1) metre from the dripline of any existing trees on the property or on adjacent properties which can be preserved prior to commencement of demolition.
4. 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-2014.69 Proposed Demolition of 1511 Gordon Street – Ward 6

1. That Report 14-72 regarding the proposed demolition of one (1) single detached dwelling at 1511 Gordon Street, legally described as Plan 508, Part Lot 1; City of Guelph, from Infrastructure, Development and Enterprise dated December 8, 2014, be received.
2. That the proposed demolition of one (1) detached dwelling at 1511 Gordon Street be approved.
3. That the applicant be requested to erect protective fencing at one (1) metre from the dripline of any existing trees on the property or on adjacent properties which can be preserved prior to commencement of demolition and maintained fencing during demolition.
4. 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.

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.

360 Woolwich Street and 15 Mont Street Proposed Zoning By-law Amendment (ZC1407) – Ward 3

Ms. Katie Nasswetter, Senior Development Planner advised the applicant is requesting to rezone the site from Single Detached Residential and Office Residential to a specialized Office Residential zone to permit the development of an addition on the back that would consist of eight live-work apartment units. The exemptions requested include a reduction in parking spaces and building setbacks. She explained specialized zoning and the live-work definition and advised it will be reviewed as it pertains to this development. She noted that the outside staircases forming part of the building face will be determined as well as the office-living components.

Mr. David McAuley, applicant, provided details of the environmentally sustainable design. He explained the target market is the older generation looking to downsize and wishing to work from home. The units will be 600-900 square feet and residents would have access to the office space so fewer vehicles needed. He believes the development is viable for several types of businesses. He does not anticipate the stairwell being used as a main access.

Council made inquiries regarding the reduced parking numbers, snow removal and waste management.

Mr. Ian Connelly, a neighbourhood resident, believes the proposed number of setback exemptions proves the development is too large. He raised concerns about street safety and the increased risk factors the live-work units would create. He is concerned that the sundeck will provide a direct view into his bedrooms. He also noted the negative effects the shadowing and parking lot will create for the trees and other plant life in the surrounding yards.

Ms. Stephanie Connelly, neighbor, raised privacy issues and noted that the balcony will overlook their bedrooms and bathroom and restrict their privacy – especially since the driveway would run parallel to their house. She believes that noise will also be an issue due to the building proximity. She requested no windows from this development face their property.

Mr. John Prescott, neighbourhood resident, raised concerns about parking and snow removal due to space constraints. He noted the numerous setback exemptions are required because the proposed building is too massive. He believes the specialized office residential zoning will lead to future commercial spaces and the proposal is inconsistent with the current streetscape due to the size and metal staircase. He noted traffic will be an issue and there is no guarantee residents will work there.

Ms. Shirley Hoffman, neighbourhood resident, believes the building is too big and it will deprive them of morning sunshine most of the year resulting in a loss of trees. The proximity of the buildings will create issues from melting snow, ice and rain overflow. She noted snow removal will also be a hazard due to loss of sight lines on the street. She stated that vehicles delivering to that property are already using her driveway and more units will create a bigger issue.

Mr. Robert Blakeney, Transition Guelph, supports the proposal and stated live-work is a positive development. He explained that a passive house refers to a low energy building approach that would rely on south facing windows, super insulation, overhangs and landscape to block overheating in summer and reducing heating demand by 90% and overall 75% less than a traditional home and this project would be the first passive home in Guelph.

Ms. Justine Dainard, a community member, supports the proposal. She stated the scale of the building is low enough, it meets the Places to Grow legislation and the proposed mixed use will encourage residents to stay and take pride in ownership.

Ms. Maggie Laidlaw, a neighbourhood resident, supports the proposal because it would increase live-work alternatives and provide a better quality of life option for seniors interested in staying within the neighbourhood. She stated condominiums are increasing in popularity and more development in residential areas could mean fewer high rise buildings. She believes this is an innovative development and not any higher than the surrounding buildings. She does not believe the driveway will be too busy, nor will there be too much noise since there will be seniors and mature adults living on the property. She stated that the owner has purposely put the residential units on Mont and the business unit kept on Woolwich where there is available parking. She believes passive homes are a positive step and supports the application.

Ms. Holly Dolan, a neighbourhood resident, opposes the development because she believes the office residential zoning commercial uses would encroach on the established neighbourhood and diminish the character. She stated that the building is an apartment and does not believe it fits the live-work definition, but is a tactic to avoid certain regulations. She believes that if the property is zoned to office residential then the City would not have control of future uses. She does not concur that the property is environmentally friendly due to the proposed destruction of mature trees and the parking lot replacing green space. She raised safety concerns related to on-street parking. She would like Council to refuse the application because it is too big, too dense, increases safety risks and is not compatible with the existing streetscape. She believes the property can be developed in a sustainable manner but should be done within the existing zoning.

Ms. Flora Laird, neighbourhood resident, opposes the application because she believes there should only be a duplex or triplex and the building should be designed to fit the current residential status. She requested more information surrounding live-work guidelines. She advised the neighbourhood is established and changes over the years have been small in nature. She stated this development will negatively impact many on Mont Street and only benefit the owner of the property and believes the development would be better suited where the appropriate zoning already exists.

Mr. Ben Barclay, a sustainability consultant, supports the project and believes it is a great development to mitigate climate change. He noted that there will be energy savings and the project will be an example to others.

Mr. Aaron Sawchuk was not present.

Mr. Todd Gillis, neighbourhood resident, advised there are a number of young children on the street and he is concerned about the increased safety risks resulting from the increased traffic and parking on Mont Street. He believes the building will dwarf the existing houses and change the overall appearance and character of the street. He noted that zoning regulations are in

place to protect the community, so the large number of exemptions required for this property should not be granted.

Mr. Lawrence Murphy, a Mont Street resident, believes this development will lead to radical transformations in the future because others businesses could move in. He does not believe the property should be rezoned to accommodate this development. He believes the real issues are being overlooked because the proposed development is environmentally friendly.

Ms. Laura Murr, Guelph resident, supports the passive nature of the development but not the size of it. She is concerned about the City's shrinking tree canopy and noted that eight mature trees are slated for removal and it would take twenty-five years or more for younger replacement trees to provide the same benefits. She raised the issue of protecting property boundary trees and urged the City to be familiar with the legislation before proceeding.

Council discussion raised the issue of preventing future encroachment onto Mont Street and Council requested a picture to definitively show the effects of the overhang over the driveway. Council would also require further information regarding the access/egress to the parking lot.

2. Moved by Councillor Hofland
Seconded by Councillor Salisbury

That Report 14-69 regarding a proposed Zoning By-law Amendment application (File ZC1407) by David J. McCauley to permit an additional seven residential apartment units to the properties known as 360 Woolwich Street and 15 Mont Street and legally described as Part of Lots 12 and 13, Registered Plan 38, as in ROS567858; together with easement WC149276 on Part of Lot 12, Registered Plan 38, designated as Part 3, Reference Plan 61R10320; and Lot 17, Registered Plan 38, save and except Part 1, 61R4491, City of Guelph, from Infrastructure, Development and Enterprise dated December 8, 2014, be received.

VOTING IN FAVOUR: Mayor Guthrie, Councillors Bell, Billings, Downer, Gibson, Gordon, Hofland, MacKinnon, Piper, Salisbury, and Wettstein (11)

VOTING AGAINST: Councillor Van Hellemond (1)

Councillor Allt left his seat for the duration of discussion and did not vote on the matter.

CARRIED

The meeting recessed at 9:45 and resumed at 9:50 p.m.

1511-1517 Gordon Street & 15 Lowes Road: Proposed Official Plan Amendment & Zoning By-law Amendment (File:OP1402/ZC1408) – Ward 2

Mr. Michael Wittmer, Development & Urban Design Planner, advised the applicant is requesting to change the Official Plan and zoning of the property from Residential Single Detached to a Specialized Commercial Residential Zone/Mixed Office Commercial with additional uses to permit a pharmacy, live-work units, retail establishment and bake shop. The exceptions would be to use a blended off-street parking ration; restrict office uses to the second floor only, a maximum of one take out restaurant be permitted with a maximum floor area of 140m², a minimum front and exterior side yard of one meter and maximum gross floor area of 1,7770m²

Ms. Astrid Clos, on behalf of the site owners, advised they wish to bring the Official Plan and zoning into compliance with the newly adopted OPA48. The owner has confirmed he has no objection to the fence request along the property line provided it can be compliant with City regulations.

3. Moved by Councillor Billings
Seconded by Councillor Allt

That Report 14-66 regarding an Official Plan Amendment and Zoning By-law Amendment application (File OP1402/ZC1408) by Astrid J. Clos Planning Consultants on behalf of 2320339 Ontario Inc. to permit a mixed office/commercial development at 1511-1517 Gordon Street and 15 Lowes Road, legally described as Lots 1 and 2, Registered Plan 508 (Geographic Township of Puslinch), City of Guelph, County of Wellington from Infrastructure, Development and Enterprise dated December 8, 2014, 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

132 Harts Lane West: Proposed Draft Plan of Subdivision, Official Plan Amendment and Zoning By-law Amendment (File: 23T14502/OPA1401/ZC1406) – Ward 1

Mr. Chris DeVriendt, Senior Development Planner, advised the applicant is requesting to subdivide the subject property to include a total of 316 residential units, consisting of 115 single detached dwellings, 4 semi-detached dwellings, 43 cluster townhouse units, and 153 apartment units. The existing farmhouse is proposed to be kept. A park block and stormwater management block, and large open space block corresponding with wetland area are also included within the draft plan. It does not include pedestrian access to Hart's Lane. A site specific amendment has been requested to allow a maximum density of 150 units for the apartment block and to move from Urban Reserve to various residential zoning to permit single detached, semi-detached, cluster townhouse units. He also provided clarification of the road connections and trail connections and advised the cul-de-sac would provide a turnaround at the end of Harts Lane and confirmed that the apartment building could be up to ten stories.

Mr. Andrew Lambden, applicant, advised they are committed to EnergyStar level of built homes, and they have already cleaned up the property and have established an organic tree farm. They have designed a nesting habitat for nesting swallows also. The 150 year old Hart Farmhouse will be restored and they will build similar homes to those on Carrington Drive. They have also collaborated with the safe design council to provide a safe neighbourhood.

The question was raised regarding the feasibility of moving the apartment building closer to the arterial roads.

Ms. Astrid Clos, on behalf of the applicant, advised the medium density area is located by the townhouses, and the common amenity area is located between the apartment and farmhouse to provide space. The design has been established with compatibility with existing neighbours in mind and the apartment is located where the elevation is five meters lower than the rest of the property. She addressed the density numbers and noted that the park lot will also act as a buffer between the apartment and other housing. She noted that 16% of the development is proposed to be included for protection of wetland and buffer of wetland and are hopeful that

the road connection to Kortright Road will have right in, right out for the condominium plan only. She confirmed that the GRCA and EAC have been involved with the plans in order to protect the wetlands. She confirmed that Heritage Guelph recommends Harts Lane should only be pedestrian access to a trail and the GRCA have no objections.

Discussion ensued regarding transportation access, the fronting of the townhouses, trail connections and a request for an elevation cross section of apartment building.

The applicant confirmed that a traffic study was conducted and the overall trip generation does not pass the signal warrant analysis criteria to require a traffic light nor a left turn lane at the Rodgers/Rickson intersection.

Mr. Brett Walkling, a resident abutting the proposed subdivision, is concerned with the apartment becoming student rentals.

4. Moved by Councillor Hofland
Seconded by Councillor Piper

That the procedural by-law be suspended to extend the meeting beyond 11:00 p.m.

CARRIED

Ms. Laura Murr, Guelph resident, raised concern for the Hanlon Creek wetlands and tree canopy due to the closeness of the swales and storm water management to the wetland boundary. She believes species are being endangered and the number of trees being cut is concerning. She advised the tree canopy needs to be protected and not just native trees. She was also concerned about the apartment lighting and shadowing affecting wildlife.

Dr. Hugh Whiteley, Guelph resident, raised concerns regarding protecting the wetlands and fish life. He stated the buffers need to be firm, recharge needs to be monitored and maintained and a salt control plan needs to be addressed.

5. Moved by Councillor Hofland
Seconded by Councillor Billings

That Report 14-61 regarding proposed Draft Plan of Subdivision, Official Plan Amendment and Zoning By-law Amendment applications (File: 23T14502 / OP1401 / ZC1406) by Astrid J. Clos Planning Consultants on behalf of Terra View Custom Homes Ltd. to permit a residential subdivision at 132 Harts Lane West, legally described as Part of Lot 4, Concession 7 (formerly Township of Puslinch), municipally known as 132 Harts Lane, City of Guelph, from Infrastructure, Development and Enterprise dated December 8, 2014, 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

CONSENT

**CON-2014.62 170 to 178 Elizabeth Street: Proposed Zoning By-law Amendment
(File: ZC1410) – Ward 1**

Staff confirmed that accessory apartments will be part of the development and accessory exits have been instituted. A site plan has been submitted and they will recess the entrance to accessory apartments. The issue of compatibility with the streetscape and parking was also raised and that will be addressed at the site plan approval stage.

6. Moved by Councillor Wettstein
Seconded by Councillor Billings

1. That the application by Van Harten Surveying Inc., on behalf of Jennifer Hunter, Taylor McDaniel and Clark McDaniel for approval of a Zoning By-law Amendment to change the zoning from the "Specialized Residential Single Detached" (R.1B-10) Zone to a "Specialized Residential Single Detached" Zone (R.1D-?) to permit the development of five (5) single detached dwellings on the property municipally known as 170 to 178 Elizabeth Street, legally described as Part of Lots 5, 6 and 7 on Registered Plan 263, be approved in accordance with the zoning regulations and conditions outlined in Attachment 2 of Infrastructure, Development and Enterprise Report 14-64, dated December 8, 2014; and,
2. That in accordance with Section 34(17) of the Planning Act, City Council has determined that no further public notice is required related to the minor modifications to the proposed Zoning By-law Amendment affecting 170 to 178 Elizabeth Street.

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

144 Watson Road North: Proposed Zoning By-law Amendment (File: ZC1313) – Ward 1

Mr. Kyle Bittmann, applicant, advised he was present to address any questions that Council may have.

Ms. Karolyne Pickett, east end resident, raised concerns about the lack of commercial and retail services and the lack of walkability to resources. She stated that the lack of nearby commercial and retail services contributes to the lack of neighbor interaction, employment opportunities, and increases pollution because everyone has to drive to services. She advised she submitted a petition with over 400 signatures requesting Council to refuse the residential zoning and requested commercial space.

7. Moved by Councillor Allt
Seconded by Councillor Piper

That the rules of procedure be suspended to allow the meeting to go beyond midnight.

CARRIED

Staff clarified the details of the mixed use node in the area.

8. Moved by Councillor Hofland
Seconded by Councillor Bell

That the application by Coletara Development for approval of a Zoning By-law Amendment from the CC-15 (H) Zone and FL Zone, to a specialized R.4B-?? Zone to permit the development of approximately 133 residential apartment units at the property municipally known as 144 Watson Road North and legally described as Part Lot 5, Concession 3, Division C (formerly Guelph Township), designated as Part 2, Reference Plan 61R-10049, City of Guelph, be approved in accordance with the zoning regulations and conditions outlined in Attachment 2 of Infrastructure, Development and Enterprise Report 14-65 dated December 8, 2014.

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

78 Starwood Drive: Proposed Zoning By-law Amendment (File: ZC1315) – Ward 1

Ms. Sue Rietschin, on behalf of GUFF (Guelph Urban Forest Friends), raised concerns regarding the 30m buffer being changed to range from 15 to 30 metres. She noted that thirteen mature trees would be saved if the 30 meter buffer is retained. She requested the application be deferred.

Mr. Kyle Bittman, Coleterra Development, advised their design process has been undertaken with OPA42 in mind despite it not being binding. He stated that no buildings or impervious structures will be within the 30 meter buffer.

Dr. Hugh Whiteley, Guelph resident, stated the application should not be approved but deferred until issues are resolved. He believes OPA42 is in effect and this application does not comply. He asked Council to give consideration to the coldwater stream water issue and salt control plan issue.

Staff advised that there will be a restoration zone and the soil is already disturbed. The project has been reviewed by the Environmental Advisory Committee (EAC), the Grand River Conservation Authority (GRCA) and City staff. The shortfall of parking is justified through the mixed use categorization. Staff assured Council that Clythe Creek will be protected. The salt management control plan will be addressed during the site plan approval process.

9. Moved by Councillor Allt
Seconded by Councillor Bell

1. That the application by Coletara Development for approval of a Zoning By-law Amendment from the B.1 (Industrial) Zone and UR (Urban Reserve) Zone to the R.4B-? (Specialized High Density Residential) Zone, R.4B-? (H) (Specialized High Density Residential) Holding Zone, and R.1D (H) (Single Detached Residential) Holding Zone to permit the development of approximately 405 residential apartment units and ground level commercial uses along Starwood Drive in five (5) buildings at the property municipally known as 78 Starwood Drive and legally described as Part of Lots 4 and 5, Concession 3, Division C, Township of Guelph, Being Parts 11 and 14, 61R-7989, City of Guelph, be approved in accordance with the zoning regulations and conditions outlined in Attachment 2 of Infrastructure, Development and Enterprise Report 14-63 dated December 8, 2014.

2. That in accordance with Section 34(17) of the Planning Act, City Council has determined that no further public notice is required related to the minor modifications to the proposed Zoning By-law Amendment affecting 78 Starwood Drive.

VOTING IN FAVOUR: Mayor Guthrie, Councillors Allt, Bell, Billings, Gibson, Gordon, Hofland, Piper, Salisbury, Van Hellemond and Wettstein (11)

VOTING AGAINST: Councillors Downer and MacKinnon (2)

CARRIED

781 Victoria Road South (formerly 50 Stone Road East): Proposed Official Plan Amendment and Zoning By-law Amendment (File:OP1301/ZC1304) – Ward 5

Mr. John Ambrose, GUFF, raised concerns regarding the buffers and protection of the natural habitat and requested Council to reject the development.

Ms. Jessica Eusebio, Wellington Water Watchers, raised concerns for the groundwater protection and asked that a deferral be made until a comprehensive study could be completed.

Ms. Lin Grist was not present.

Ms. Laura Murr, raised concerns regarding the woodlot, and natural heritage.

Ms. Krista Walkey, Stantec, on behalf of Reid's Heritage Homes and the University of Guelph, advised they have worked with EAC and have met the more than 10m setback requirement. She advised they have worked with GRCA, EAC and City staff to address technical issues and they have already reduced the development area from 3 hectares originally submitted to 1.27 hectares.

Discussion confirmed that the necessary water studies have been completed, the road is sufficient for garbage collection, snow removal, and turnaround of vehicles. It was noted that the stormwater management system is above the water table and there is infiltration across the property, not just at the bottom.

Dr. Hugh. Whiteley, Guelph resident, requested deferral of a decision because he does not believe enough public consultation has occurred, the scenic value of the property has not been assessed, the requirement for retention of fully protective buffers has not been met. He stated the City needs to protect the greenlands from urban sprawl and he provided a history of the site purpose. He questioned why there would be changes to the site now when it has been historically protected.

There was some discussion regarding solid waste management, connectivity, and adherence to policies,

10. Moved by Councillor Allt
Seconded by Councillor Gordon

That the application by Stantec Consulting Ltd. on behalf of the University of Guelph for approval of an Official Plan Amendment to redesignate the subject site from the "Major Institutional" land use designation to the "General Residential" land use designation to permit the development of 18 single detached dwelling units fronting on a private condominium road at the property municipally known as 781 Victoria Road South and

legally described as Part of Lot 2, Concession 8, (formerly Puslinch Township), City of Guelph, County of Wellington, be deferred.

VOTING IN FAVOUR: Councillors Allt, Gordon, Piper, Salisbury and Van Hellemond (5)
VOTING AGAINST: Mayor Guthrie, Councillors Bell, Billings, Downer, Gibson, Hofland, MacKinnon and Wettstein (8)

DEFEATED

11. Moved by Councillor Piper
Seconded by Councillor Salisbury

That the application by Stantec Consulting Ltd. on behalf of the University of Guelph for approval of an Official Plan Amendment to redesignate the subject site from the "Major Institutional" land use designation to the "General Residential" land use designation to permit the development of 18 single detached dwelling units fronting on a private condominium road at the property municipally known as 781 Victoria Road South and legally described as Part of Lot 2, Concession 8, (formerly Puslinch Township), City of Guelph, County of Wellington, be refused.

VOTING IN FAVOUR: Councillors Allt, Downer, Gordon, Piper, and Salisbury (5)
VOTING AGAINST: Mayor Guthrie, Councillors Bell, Billings, Gibson, Hofland, MacKinnon, Van Hellemond and Wettstein (8)

DEFEATED

12. Moved by Councillor Billings
Seconded by Councillor Hofland

1. That the application by Stantec Consulting Ltd. on behalf of the University of Guelph for approval of an Official Plan Amendment to redesignate the subject site from the "Major Institutional" land use designation to the "General Residential" land use designation to permit the development of 18 single detached dwelling units fronting on a private condominium road at the property municipally known as 781 Victoria Road South and legally described as Part of Lot 2, Concession 8, (formerly Puslinch Township), City of Guelph, County of Wellington, be approved in accordance with Attachment 2 of Infrastructure, Development and Enterprise Report 14-59 dated December 8, 2014.
2. That the application by Stantec Consulting Ltd. on behalf of the University of Guelph for approval of a Zoning By-law Amendment to rezone the subject site from the I.2 (Institutional) Zone to R.1B-? (Specialized Single Detached Residential) Zone to permit the development of 18 single detached dwelling units fronting on a private condominium road at the property municipally known as 781 Victoria Road South and legally described as Part of Lot 2, Concession 8, (formerly Puslinch Township), City of Guelph, County of Wellington, be approved in accordance with the zoning regulations and conditions outlined in Attachment 3 of Infrastructure, Development and Enterprise Report 14-59 dated December 8, 2014.
3. 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 781 Victoria Road South.

VOTING IN FAVOUR: Mayor Guthrie, Councillors Bell, Billings, Gibson, Gordon, Hofland, MacKinnon, Van Hellemond and Wettstein (9)

VOTING AGAINST: Councillors Allt, Downer, Piper, and Salisbury (4)

CARRIED

By-laws

13. Moved by Councillor Allt
Seconded by Councillor Hofland

That By-laws Numbered (2014) - 19825 to (2014)-19845, 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 (1:48 a.m.)

13. Moved by Councillor Billings
Seconded by Councillor Allt

That the meeting be adjourned.

Minutes to be confirmed on February 23, 2015.

CARRIED

Mayor Guthrie

Tina Agnello - Deputy City Clerk

**1750 Gordon Street
Recommended Conditions of Approval**

1. The owner shall enter into a Site Plan Agreement with the City, registered on title, satisfactory to the City Solicitor agreeing to satisfy all required conditions of approval and to develop the site in accordance with the approved plan.
2. The site plan, landscape plans and site grading plans are to be revised to show the same surface materials types and locations; and provide greater detailed grading and drainage information.
3. The plans shall incorporate accessibility parking and entrance features in accordance with the City's Facility Accessibility Design Manual.
4. A traffic geometrics plan, endorsed by a Professional Engineer, is to be provided showing all internal traffic geometry for vehicles accessing the site (i.e. Auto turn radii).
5. The applicant shall provide cost estimates for Landscaping and Works within the municipal Right-of-Way.

50 Law Drive Recommended Zoning Regulations and Conditions

The property affected by the Zoning By-law Amendment application is municipally known as 50 Law Drive and legally described as Block 220, 61M-18M & Part Lot 16, Plan 468 Designated As Part 1, 61R-11219 Except Part 1, 61R-11967, City of Guelph.

PROPOSED ZONING

The following zoning is proposed (as shown in Attachment 4) for the subject site:

R.1B (Single Detached Residential) Zone

R.1C (Single Detached Residential) Zone

In accordance with Section 5.2 of Zoning By-law (1995)-14864, as amended.

PROPOSED CONDITIONS

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

1. The Owner shall pay to the City, as determined applicable by the Chief Financial Officer/City Treasurer, **development charges** and education development charges, in accordance with the City of Guelph Development Charges By-law (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 thereof, prior to this issuance of any building permits, at the rate in effect at the time of the issuance of a building permit.
2. The Owner shall pay **cash in-lieu of parkland** conveyance for the entire development at 5% of the entire property value, under the City of Guelph By-law (1989)-13410, as amended by By-law (1990)-13545, By- Law (2007- 18225), or any successor thereof, prior to the issuance of any building permits.
3. The Owner shall to install a standard black vinyl **chain link fence** at their sole expense along the O'Connor Lane Park property line to the north of the subject property under the City's Property Demarcation Policy to the satisfaction of the Manager of Parks and Open Space and prior to the issuance of any building permits.
4. The Owner shall pay to the City, the City's total cost of reproduction and distribution of the **Guelph Residents' Environmental Handbook**, to all future homeowners or households within the project, with such payment based on a cost of one handbook per residential dwelling unit, as determined by the City, prior to the issuance of any building permit for the lands.
5. The Owner shall submit a **site plan** under Section 41 of the Planning Act to, and have it be approved by the General Manager of Planning Services and the City Engineer, prior to the issuance of a building permit for the new dwellings that indicates:

- a. The **location and design** of the new dwellings drawn in a metric scale; with a front yard setback that is in character with the surrounding area;
 - b. All **trees** on the subject property and also on direct adjacent properties, including the extent of their canopies that may be impacted by the development. The plan should identify trees to be retained, removed and/or replaced and the location and type of appropriate methods to protect the trees to be retained during all phases of construction; and
 - c. **Grading, drainage and servicing** information.
6. The Owner shall not remove any vegetation during the **breeding bird season** (May-July), as per the *Migratory Bird Act*.
 7. The Owner shall install any required **tree protection fencing** on-site and on adjacent City property to the satisfaction of the General Manager of Planning Services, prior to the issuance of any building permits.
 8. Prior to any construction or grading on the lands, the Owner shall have a Professional Engineer or Ontario Land Surveyor design a **grading and drainage plan** for the site, satisfactory to the General Manager/City Engineer.
 9. That the Owner constructs the new buildings at such an elevation that the lowest level of the new buildings can be serviced with a **gravity connection** to the sanitary.
 10. The Owner makes satisfactory arrangements with **Union Gas** for the servicing of the lands, as well as provisions for any easements and/or rights-of-way for their plants, prior to the issuance of any building permits.
 11. That the Owner shall make arrangements satisfactory to the Technical Services Department of Guelph Hydro Electric Systems Inc. for the installation of an **underground hydro service** to the proposed new dwellings, prior to the issuance of any building permits.
 12. The Owner shall ensure that all **telephone service and cable TV** service in the Lands shall be underground. The Developer shall enter into a servicing agreement with the appropriate service providers for the installation of underground utility services for the Lands, prior to the issuance of any building permits.
 13. The Owner acknowledge in writing that the City does not allow **retaining walls** higher than 1.0 metre abutting existing residential properties without the permission of the General Manager/City Engineer, prior to the issuance of any building permits.
 14. The Owner shall make satisfactory arrangements with **Union Gas** for the servicing of the lands, as well as provisions for any easements and/or rights-of-way for their plants, prior to the issuance of any building permits.

15. The Owner shall ensure that all **telecommunication service and cable TV service** on the lands shall be underground. The Owner shall enter into a servicing agreement as necessary with the appropriate service providers for the installation of underground utility services, prior to the issuance of any building permits.

95 Couling Crescent Recommended Zoning Regulations and Conditions

The property affected by the Zoning By-law Amendment application is municipally known as 95 Couling Crescent and legally described as Lot 34, Registered Plan 61M-184, City of Guelph.

PROPOSED ZONING

The following zoning is proposed for the subject site:

R.2 (Residential Semi-Detached/Duplex Zone) Zone

In accordance with Section 5.2 of Zoning By-law (1995)-14864, as amended.

PROPOSED CONDITIONS

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

1. The Owner shall pay to the City, as determined applicable by the Chief Financial Officer/City Treasurer, **development charges** and education development charges, in accordance with the City of Guelph Development Charges By-law (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 thereof, prior to this issuance of any building permits, at the rate in effect at the time of the issuance of a building permit.
2. The Owner shall pay to the City, the City's total cost of reproduction and distribution of the Guelph Residents' **Environmental Handbook**, to all future homeowners or households within the project, with such payment based on a cost of one handbook per residential dwelling unit, as determined by the City, prior to the issuance of any building permit for the lands.
3. The Owner shall submit a **site plan** under Section 41 of the Planning Act to, and have it be approved by the General Manager of Planning Services and the City Engineer, prior to the issuance of a building permit for the new dwellings that indicates:
 - a. The **location and design** of the new dwellings drawn in a metric scale;
 - b. All **trees** on the subject property, including the extent of their canopies that may be impacted by the development. Any trees within the City boulevard must also be shown, including appropriate protective measures to maintain them throughout the development process. The plan should identify trees to be retained, removed and/or replaced and the location and type of appropriate methods to protect the trees to be retained during all phases of construction; and
 - c. Comprehensive **grading, drainage and servicing** information.
4. The Owner shall not remove any vegetation during the **breeding bird season** (May-July), as per the *Migratory Bird Act*.

5. The Owner shall **grade, develop and maintain** the site in accordance with a Site Plan that has been submitted to and approved by the General Manager of Planning Services and the City Engineer.
6. The Owner shall make satisfactory arrangements with the Technical Services Department Guelph Hydro Electric Systems Inc. for the installation of **underground hydro service** to the proposed new dwellings on the lands, prior to the issuance of a building permit, and that all modifications to the existing hydro servicing on Summerfield Drive is to be at the Owner's expense.
7. The Owner shall maintain a **minimum distance of 1.5 metres** between any driveways and pad-mounted **transformers** and **street light poles**, and that any relocations is to be at the Owner's expense.
8. The Owner shall make satisfactory arrangements with **Union Gas** for the servicing of the lands, as well as provisions for any easements and/or rights-of-way for their plants, prior to the issuance of any building permits.
9. The Owner shall ensure that all **telephone service and cable TV service** on the lands shall be underground. The Owner shall enter into a servicing agreement as necessary with the appropriate service providers for the installation of underground utility services, prior to the issuance of any building permits.

300 Grange Road Conditions of Draft Plan Approval

THAT the application by Van Harten Surveying Inc. on behalf of Gateway Homes Inc. for a Proposed Draft Plan of Residential Subdivision and associated Zoning By-law Amendment applying to property municipally known as 300 Grange Road, and legally described as Part Lot 6 and 7, Registered Plan 53, Division "C", City of Guelph, to permit 87 dwelling units, **be approved**, subject to the following conditions:

CITY CONDITIONS

1. That this approval applies only to the draft plan of subdivision prepared by Van Harten Surveying Inc., Project No. 98-13068, dated October 6, 2008, including road widenings and reserves.

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 Services in accordance with City of Guelph Bylaw (2010)-19058 prior to any grading, tree removal 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.
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 provide a qualified **environmental inspector**, satisfactory to the General Manager of Planning 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. The environmental inspector shall report on their findings to the City. For this subdivision, the City recognizes that the environmental inspection can be completed by a qualified engineering inspector to the satisfaction of 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 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 1.2 metres 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.
14. The Developer shall carry out an **archaeological assessment** of the subject property and mitigate, through preservation or resource removal, adverse impacts to any significant archaeological resources found. No demolition, grading or any soil disturbances shall take place on the subject property, prior to the issuance of a letter from the Ministry of Citizenship, Culture and Recreation to the City indicating that all archaeological assessment and/or mitigation activities undertaken have met licensing and resource conservation requirements.

Conditions to be met prior to execution of subdivision agreement

15. 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.
16. 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. This also includes the Developer paying a share of the cost of the existing downstream stormwater management system as

determined by the City and a share of the cost of the reconstruction of Grange Road. 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.

17. Should 23T-07505 proceed before 23T-07502 or vice-versa, the Developer shall construct **temporary turning circles** at the ends of Roads A and B and an **emergency access road** all to the satisfaction of the City.
18. 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.
19. The Developer shall submit a **Traffic Impact Study** to the satisfaction of the City Engineer and the Developer shall implement to the satisfaction of the City Engineer the recommendations of the **Traffic Impact Study** undertaken for this subdivision and approved by the City Engineer.
20. 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.
21. 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.
22. The Developer shall pay to the City the cost of installing **bus stop pads** at locations to be determined by Guelph Transit.
23. The Developer shall provide an **On-Street Parking Plan** for the subdivision to the satisfaction of the City Engineer. This Plan shall include on-street parking on Grange Road.
24. The site plans for Lots 1, 2 and 3, and all **corner building lots**, as determined by the City, shall be submitted to the City for approval of driveway location.
25. 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.
26. The Developer shall phase the subdivision to the satisfaction of the City of Guelph. Such **phasing** shall conform to the current Development Priorities Plan.
27. The Developer shall **dedicate Block 15 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.
28. The Developer shall be responsible for the cost of design and development of the **"Basic Park Development"** according to the City of Guelph's current "Specifications for Basic Parkland Development", which includes clearing, grubbing, site grading and surface drainage, topsoil and sodding for any phase containing a park block to the satisfaction of the Executive Director of Community and Social Services. The Developer shall provide the

City with cash or letter of credit to cover the City approved estimate for the cost of the Basic Park Development to the satisfaction of the Executive Director of Community and Social Services.

29. 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 for approval by the City and the administration of the construction contract up to the end of the warrantee period by an Ontario Association of Landscape Architects (OALA) member to the satisfaction of the Executive Director of Community and Social Services. The Developer shall provide the City with cash or letter of credit to cover the City approved estimate for the cost of development of the demarcation for the City lands to the satisfaction of the Executive Director of Community and Social Services.
30. The Developer shall provide the City 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 to be retained in the park.

Conditions to be met prior to registration of the plan

31. 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.
32. The registration of the plan, or any part thereof, shall require approval of the City with respect to **adequate sanitary sewer capacity** being available in the downstream trunk sanitary sewer.
33. 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.
34. Prior to the City accepting any real property interests, if contamination is found, the Developer shall:
- a. 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 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 conveyed to the City meet the Site Condition Standards of the intended land use; and

- c. file a Record of Site Condition (RSC) on the Provincial Environmental Registry for lands to be conveyed to the City.
35. 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.
 36. 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".
 37. 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.
 38. The Developer shall pay any **outstanding debts** owed to the City.
 39. The Developer shall pay **development charges** to the City in accordance with By-law Number (2009) – 18729, as amended from time to time, or any successor thereof and in accordance with the Education Development Charges By-laws of the Upper Grand District School Board (Wellington County) and the Wellington Catholic District School Board as amended from time to time, or any successor by-laws thereto.
 40. 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". Further, the signs shall be resistant to weathering and vandalism.
 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:
 - a. "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."
 - 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 are advised that a transit route may be installed on Grange Road 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."
 - d. "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".
 - e. "Purchasers and/or tenants of all lots or units are advised that the boundaries of the park block will be demarcated in accordance with the City of Guelph Property Demarcation Policy."
42. 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.
43. 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.
44. 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.
45. That site plans for Lots 1, 2 and 3 and all corner building lots, as determined by the City Engineer, shall be submitted to the City Engineer for approval of **driveway location**.
46. 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 Services that there are no restrictive covenants which restrict the use of clotheslines.

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

47. 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.

48. 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.
49. All **Stage 1 Services** are to be constructed to the satisfaction of the City Engineer.
50. 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.
51. The Owner acknowledges and agrees that the dwelling units on the subject site will be constructed to standard that promotes **energy efficiency** standards in order to comply with the Community Energy Initiative, to the satisfaction of the City.

AGENCY CONDITIONS:

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 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.
54. 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.
55. 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.
56. 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.

57. 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.
58. 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 51 has been satisfied.
59. 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 52, 53 and 54 have been satisfied.
60. 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 41 and 48 have been satisfied.
61. That prior to the registration of all or any portion of the plan, **Canada Post** shall advise the City in writing how condition 55 has been satisfied.

**170 to 178 Elizabeth Street
Recommended Zoning Regulations and Conditions**

The property affected by the Zoning By-law Amendment application is municipally known as 170 to 178 Elizabeth Street and legally described as Part of Lots 5, 6 and 7 on Registered Plan 263, City of Guelph.

PROPOSED ZONING – R.1D-?

The following zoning is proposed for the subject site:

R.1D (Single Detached Residential) Zone

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

Permitted Uses

In accordance with Section 5.1.1 of Zoning By-law (1995) – 14864, as amended.

Regulations

In accordance with Section 5.1.2 of Zoning By-law (1995) – 14864, as amended (see excerpt of Table 5.1.2 below), with the following exceptions:

Despite table 5.1.2, Row 7, and Sections 5.1.2.1 and 5.1.2.2, the minimum easterly side yard for dwelling No. 2 shall be a minimum of 2.0 metres and the minimum westerly side yard for dwelling No. 3 shall be a minimum of 2.0 metres.

Despite table 5.1.2, Row 10, and Section 4.20, fences shall not be permitted in the side yard between dwellings.

15006, 15378, 17187, 18116, 19063, 19691

EXCERPT FROM TABLE 5.1.2 - REGULATIONS GOVERNING R.1 ZONES

1	Residential Type	Single Detached Dwellings
2	Zone	R.1D
3	Minimum Lot Area	275 m ²
4	Minimum Lot Frontage	9 metres and in accordance with Sections 5.1.2.5 and 5.1.2.6.
5	Maximum Building Height	3 Storeys and in accordance with Section 4.18.
6	Minimum Front Yard	6 metres and in accordance with Sections 4.6, 4.24, 5.1.2.3, 5.1.2.4 and 5.1.2.7.
6a	Minimum Exterior Side Yard	4.5 metres and in accordance with Sections 4.6, 4.24, 4.28, 5.1.2.3, 5.1.2.4 and 5.1.2.7.

7	Minimum Side Yard 1 to 2 Storeys Over 2 Storeys	0.6 metres and in accordance with Sections 5.1.2.1 and 5.1.2.2.
8	Minimum Rear Yard	7.5 metres or 20% of the <i>Lot Depth</i> , whichever is less and in accordance with Section 5.1.2.4.
9	Accessory Buildings or Structures	In accordance with Section 4.5
10	Fences	In accordance with Section 4.20.
11	Off-Street Parking	In accordance with Section 4.13.
12	Minimum Landscaped Open Space	The <i>Front Yard</i> on any <i>Lot</i> , excepting the <i>Driveway (Residential)</i> shall be landscaped and no parking shall be permitted within this <i>Landscaped Open Space</i> . Despite the definition of <i>Landscaped Open Space</i> , a minimum area of 0.5 metres between the <i>Driveway (Residential)</i> and nearest <i>Lot Line</i> must be maintained as landscaped space in the form of grass, flowers, trees, shrubbery, natural vegetation and indigenous species.
13	Garbage, Refuse and Storage	In accordance with Section 4.9.
14	Garages	For those <i>Lots</i> located within the boundaries indicated on Defined Area Map Number 66, attached <i>Garages</i> shall not project beyond the main front wall of the <i>Building</i> . Where a roofed porch is provided, the <i>Garage</i> may be located ahead of the front wall of the dwelling (enclosing <i>Habitable Floor Space</i> on the first floor) equal to the projection of the porch to a maximum of 2 metres.

PROPOSED CONDITIONS

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

1. Prior to site plan approval, Engineering will require a letter from the Developer to confirm that the proposed single detached home development will not contribute or negatively impact the adjacent properties (including 146 Elizabeth St) with respect to both surface water and groundwater to address the issues raised by residents at the Public Meeting. The letter must be prepared and stamped by a Professional Engineer to the satisfaction of the General Manager/City Engineer.

2. 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 known municipally as 170 & 178 Elizabeth Street to the satisfaction of the City. The City also requires the QP responsible for preparing the Phase I ESA report 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.
3. If contamination is found , prior to any construction or grading on the lands, the owner shall complete the following at their expense:
 - a) Submit all environmental assessment reports, including reliance letter, prepared in accordance with the RSC (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 QP that the lands to be developed meet the Site Condition Standards of the intended land use; and,
 - c) File a RSC on the Provincial Environmental Registry for lands to be developed.
4. The Developer will ensure that all domestic wells, boreholes and monitoring wells installed for hydrogeological or geotechnical investigations are properly decommissioned in accordance with current Ministry of the Environment regulations (O.Reg. 903 as amended) and to the satisfaction of the General Manager/City Engineer, prior to any construction or grading on the lands.
5. Prior to any construction or grading on the lands, a strategy must be incorporated and implemented to protect the existing 450mm diameter storm sewer bisecting the subject land from damage during construction to the satisfaction of the General Manager/City Engineer.
6. The Developer shall pay the associated cost to closed circuit television record (CCTV) the existing 450mm diameter storm pipe bisecting the subject lands, and furthermore Engineering will also require that the existing 450mm storm pipe bisecting the subject lands be CCTV before and after construction to ensure the storm pipe has not been compromise.
7. The Developer shall be entirely responsible to pay for repairing the storm pipe bisecting the subject lands if damaged during construction.
8. 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 General Manager/City Engineer.
9. That the Developer grades, develops and maintains the site in accordance with a *Site Plan* that has been submitted to and approved by the General Manager/City Engineer.

10. Prior to any construction or grading on the lands, the Developer shall construct, install and maintain erosion and sediment control facilities, satisfactory to the General Manager/City Engineer, in accordance with a plan that has been submitted to and approved by the General Manager/City Engineer.
11. That the Developer shall make arrangements satisfactory to the Technical Services Department of Guelph Hydro Electric Systems Inc. for the installation of an underground hydro service to the proposed new dwellings, prior to the issuance of a building permit.
12. That the Developer makes satisfactory arrangements with Union Gas for the servicing of the lands, as well as provisions for any easements and/or rights-of-way for their plants, prior to the issuance of any building permits.
13. The Developer shall ensure that all telephone service and cable TV service on the lands shall be underground. The owner shall enter into a servicing agreement with the appropriate service providers for the installation of underground utility services, prior to the issuance of any building permits.
14. The Owner agrees to provide a safety setback of habitable buildings from the railway right-of-way at a minimum of 30 metres in conjunction with a safety berm. The safety berm shall be adjoining and parallel to the railway right-of-way with returns at the ends, 2.5 metres above grade at the property line, with side slopes not steeper than 2.5 to 1.
15. To the satisfaction of CN Railway, or any successor thereof, the Owner shall engage a consultant to undertake an analysis of noise. At a minimum, a noise attenuation barrier shall be adjoining and parallel to the railway right-of-way, having returns at the ends, and a minimum total height of 5.5 metres above top-of-rail. Acoustic fence to be constructed without openings and of a durable material weighing not less than 20 kg. per square metre of surface area. Subject to the review of the noise report, the Railway may consider other measures recommended by an approved Noise Consultant.
16. Ground-borne vibration transmission is to be evaluated in a report through site testing to determine if dwellings within 75 metres of the railway right-of-way will be impacted by vibration conditions in excess of 0.14 mm/sec RMS between 4 Hz and 200 Hz. The monitoring system should be capable of measuring frequencies between 4 Hz and 200 Hz, ± 3 dB with an RMS averaging time constant of 1 second. If in excess, isolation measures will be required to ensure living areas do not exceed 0.14 mm/sec RMS on and above the first floor of the dwelling.
17. The Owner shall install and maintain a chain link fence with a minimum height of 1.83 metres along the mutual property line with CN Railway.
18. The following clause shall be inserted in all development agreements, offers to purchase, and agreements of Purchase and Sale or Lease of each dwelling unit within 300m of the railway right-of-way:

"Warning: Canadian National Railway Company or its assigns or successors in interest has or have a right-of-way within 300 metres from the land the subject hereof. There may be alterations to or expansions of the railway facilities on such right-of-way

in the future including the possibility that the railway or its assigns or successors as aforesaid may expand its operations, which expansion may affect the living environment of the residents in the vicinity, notwithstanding the inclusion of any noise and vibration

attenuating measures in the design of the development and individual dwelling(s). CNR will not be responsible for any complaints or claims arising from use of such facilities and/or operations on, over or under the aforesaid right-of-way."

19. Any proposed alterations to the existing drainage pattern affecting Railway property must receive prior concurrence from the Railway and be substantiated by a drainage report to the satisfaction of the Railway.
20. The Owner shall through restrictive covenants to be registered on title and all agreements of purchase and sale or lease provide notice to the public that the safety berm, fencing and vibration isolation measures implemented are not to be tampered with or altered and further that the Owner shall have sole responsibility for and shall maintain these measures to the satisfaction of CN.
21. The Owner shall enter into an Agreement with CN stipulating how CN's concerns will be resolved and will pay CN's reasonable costs in preparing and negotiating the agreement.
22. The Owner shall be required to grant CN an environmental easement for operational noise and vibration emissions, registered against the subject property in favour of CN.
23. The Developer shall pay cash in-lieu of parkland to the City for the entire development, in accordance with the City of Guelph By-law (1989)-13410, as amended by By-law (1990)-13545, By-Law (2007- 18225), or any successor thereof, prior to issuance of any building permits. In accordance with the section 209-3.(b)(i) of the current Parkland Dedication By-law, money payment in lieu of parkland conveyance will be required at 5% of the entire property value. In this regard, the value of the land shall be determined as of the day before the day the provisional consent was given. The property will be appraised by a qualified real estate appraiser appointed by City and paid for by the Developer.
24. The hydro services for this development shall be underground except for pad-mounted transformers.
25. As required by Guelph Hydro, a space of 3.5 by 3.5 metres must be made available in the boulevard in front of the development for the installation of a low-profile, pad-mounted transformer.
26. A minimum distance of 3.0 metres must be maintained between any dwelling units and pad-mounted transformers.
27. A minimum distance of 1.5 metres must be maintained between any driveways/entrances and street light poles or pad-mounted transformers. Any re-locations required shall be done at the Owner's expense.

28. Hydro supply for this development will be from Elizabeth Street.
29. The Owner shall pay to the City, as determined applicable by the Chief Financial Officer/City Treasurer, development charges and education development charges, in accordance with the City of Guelph Development Charges By-law (2014)-19692, as amended from time to time, or any successor thereof, and in accordance with the Education Development Charges By-law 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 thereof, prior to the issuance of any building permits, at the rate in effect at the time of the issuance of a building permit.
30. The Owner shall pay to the City, the City's total cost of reproduction and distribution of the Guelph Residents' Environmental Handbook, to all future homeowners or households within the project, with such payment based on a cost of one handbook per residential dwelling unit, as determined by the City, prior to the issuance of any building permit for the lands.
31. The Owner shall submit a site plan to, and have it be approved by the General Manager of Planning Services and the City Engineer, prior to the issuance of a building permit for the new dwellings that indicates:
 - a. The location and design of the new dwellings; and,
 - b. Grading, drainage and servicing information.
32. The Owner shall prepare elevation and design drawings for the new dwellings and shall submit and have the elevation drawings approved by the General Manager of Planning Services, prior the issuance of a building permit for the new dwellings in order for staff to ensure that the design of the new dwelling respects the character of the surrounding neighbourhood in all aspects including the proposed massing, building setbacks and the size and location of any proposed garage.

**144 Watson Road North
Recommended Zoning Regulations and Conditions**

The property affected by the Zoning By-law Amendment application is municipally known as 144 Watson Road North and legally described as, Part Lot 5, Concession 3, Division C (formerly Guelph Township), designated as Part 2, Reference Plan 61R-10049, City of Guelph.

PROPOSED ZONING

The following zoning is proposed for 144 Watson Road North:

R.4B-? (Specialized High Density Residential) Zone

Regulations

In accordance with Section 4 (General Provisions) and Section 5.4.2 and Table 5.4.2 (Residential Apartment R.4 Zone Regulations) with the following exceptions:

Minimum Off-street Parking

1.2 parking spaces per residential unit.

Minimum Common Amenity Area

6 square metres per residential unit.

PROPOSED CONDITIONS

The following conditions are provided as information to Council and will be imposed through site plan approval, in a Site Plan Control Agreement, registered on title for the subject lands:

1. The Owner shall submit to the City, in accordance with Section 41 of *The Planning Act*, a fully detailed site plan(s), indicating the location of buildings, landscaping, parking, circulation, access, lighting, grading and drainage on the said lands to the satisfaction of the General Manager of Planning Services and the City Engineer, prior to any construction or grading on the lands, and furthermore the Owner agrees to develop the said lands in accordance with the approved plan.
 - a) Further, the Owner commits and agrees that the details of the layout, elevations and design for development of the subject lands shall be in general accordance and conformity with the conceptual development plan attached as Attachment 6 to the December 8, 2014 Planning, Building, Engineering and Environment Report Number 14-65.
 - b) Further, the Owner shall implement the recommendations of the Urban Design Brief, dated December 2013 by Coletara, together with the addendum dated November 5, 2014 and Urban Design staff comments, to the satisfaction of the General Manager of Planning Services.
2. Prior to the issuance of site plan approval, the Owner shall provide the City with written confirmation that development of the subject site will be to a standard that implements energy efficiency in order to support the Community Energy Initiative to the satisfaction of the General Manager of Planning Services in accordance with the letter attached as Attachment 8 to Report 14-65 from Planning, Building, Engineering and Environment dated December 8, 2014.

3. Prior to the issuance of site plan approval for the lands, the Owner shall pay to the City, the City's total cost of reproduction and distribution of the Guelph Residents' Environmental Handbook, to all future households within the project, with such payment based on a cost of one handbook per residential household, as determined by the City.
4. The Owner shall pay to the City, as determined applicable by the Chief Financial Officer/City Treasurer, development charges and education development charges, in accordance with the City of Guelph Development Charges By-law (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 thereof, prior to this issuance of any building permits, at the rate in effect at the time of the issuance of a building permit.
5. That prior to site plan approval, the City requires a qualified person (QP_{ESA}) to submit a Reliance letter to indicate that despite any limitations or qualifications included in the Phase 1 ESA report, the City is authorized to rely on all information and opinion provided in the report submitted for the proposed zone change.
6. Prior to site plan approval and prior to any construction or grading on the lands, the Owner shall provide to the City, to the satisfaction of the General Manager/City Engineer, any of the following studies, plans and reports that may be requested by the General Manager/City Engineer: -
 - a. a traffic impact and operations report;
 - b. a functional servicing report;
 - c. a stormwater management report and plans certified by a Professional Engineer in accordance with the City's Guidelines and the latest edition of the Ministry of the Environment's "Stormwater Management Practices Planning and Design Manual" which addresses the quantity and quality of stormwater discharge from the site together with a monitoring and maintenance program for the stormwater management facility to be submitted;
 - d. a geotechnical report certified by a Professional Engineer that analysis the permeability and hydraulic conductivity of the soils and recommends measures to ensure that they are not diminished by the construction and development;
 - i. the geotechnical report shall include boreholes which extend into the native soil layers on site to inform the stormwater management design, particularly as it relates to Low Impact Development techniques;
 - e. a grading, drainage and servicing plan prepared by a Professional Engineer for the site;
 - f. a detailed erosion and sediment control plan, certified by a Professional Engineer that indicates the means whereby erosion will be minimized and sediment maintained on-site throughout grading and construction.

7. The Owner shall, to the satisfaction of the General Manager/City Engineer, address and be responsible for adhering to all the recommended measures contained in the plans, studies and reports outlined in subsections 6 a) to f) inclusive.
8. Prior to site plan approval, Engineering will require confirmation that the proposed site access is safe in relation with the horizontal curve along Watson Road North.
9. Prior to site plan approval, the Owner shall complete a safety audit of the at grade Watson Road North railway crossing to the satisfaction of the General Manager/City Engineer and Goderich Exeter Railway. The Developer shall be responsible for the cost of the safety audit and for implementing the recommendations.
10. The Owner is responsible for its share of the 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 as per the City's cost-sharing policies and to the satisfaction of the General Manager/City Engineer. This includes but is not limited to sidewalk on Watson Parkway North and a full urban cross-section on Watson Road North for the limits of the site plan, such works as sanitary facilities, storm facilities, water facilities, walkways and road works including sidewalks, boulevards and curbs, street lighting with the distance, size and alignment of such services to be determined by the General Manager/ City Engineer.
11. That prior to site plan approval, the Owner shall have engineering drawings and final reports prepared for the approval of the General Manager/ City Engineer.
12. That prior to site plan approval, the Owner shall enter into an Engineering Services Agreement with the City, satisfactory to the General Manager/ City Engineer.
13. The Owner shall be responsible for the actual cost of any service laterals required for the lands and furthermore, prior to site plan approval and prior to any construction or grading on the lands, the Developer shall pay to the City, the estimated cost as determined by the General Manager/City Engineer of any service laterals.
14. The Owner pay the actual cost of removing or decommissioning to the satisfaction of the General Manager/City Engineer, any existing sanitary sewers, storm sewers, manholes and/or watermains to the lands that are not going to be used for service laterals. Furthermore, prior to site plan approval and prior to any construction or grading on the lands, the Developer shall pay to the City, the estimated cost as determined by the General Manager/City Engineer of the Developer's share of the cost of the removals and decommissioning works.
15. The Owner shall pay to the City the actual cost of the construction of the new driveway entrances and required curb cuts. Furthermore, prior to site plan approval and prior to any construction or grading on the lands, the Developer shall pay to the City, the estimated cost as determined by the General Manager/City Engineer of the construction of the new driveway entrances and required curb cuts.
16. The Owner shall prepare and implement a construction traffic access and control plan for all servicing and building construction to the satisfaction of the General Manager/City Engineer. Any costs related to the implementation of such a plan shall be borne by the Developer.

17. The Owner constructs, installs and maintains erosion and sediment control facilities, satisfactory to the General Manager/City Engineer, prior to any grading or construction on the lands in accordance with a plan that has been submitted to and approved by the General Manager/City Engineer.
18. The Owner shall provide a qualified environmental inspector, satisfactory to the General Manager of Planning Services and the General Manager/City Engineer, to inspect the site during all phases of development and construction including grading, servicing and building construction. The environmental inspector shall monitor and inspect the erosion and sediment control measures and procedures on a weekly or more frequent basis if required. The environmental inspector shall report on his or her findings to the City on a monthly or more frequent basis.
19. The Owner constructs the new buildings at such an elevation that the lowest level of the new buildings can be serviced with a gravity connection to the sanitary sewer.
20. The Owner grades, develops and maintains the site including the storm water management facilities (including low impact development) designed by a Professional Engineer, in accordance with a Site Plan that has been submitted to and approved by the General Manager/City Engineer. Furthermore the Developer shall have the Professional Engineer who designed the storm water management system certify to the City that he/she supervised the construction of the storm water management system and that the storm water management system was built as it was approved by the City and that it is functioning properly.
21. The Owner will ensure that all boreholes and monitoring wells installed for hydrogeological or geotechnical investigations are properly decommissioned in accordance with current Ministry of the Environment regulations (O.Reg. 903 as amended) and to the satisfaction of the General Manager/City Engineer, prior to site plan approval and prior to any construction or grading on the lands.
22. The Owner acknowledges that the City does not allow retaining walls higher than 1.0-metre abutting existing residential properties without the permission of the General Manager/City Engineer.
23. That 0.3 metre reserves along Watson Parkway and Watson Road North shall be conveyed to the City at the expense of the Owner and to the satisfaction of the General Manager/City Engineer.
24. The Owner shall pay to the City the cost of installing bus stop pads at locations to be determined by Guelph Transit.
25. That all electrical services to the lands are underground and the Owner shall make satisfactory arrangements with Guelph Hydro Electric Systems Inc. for the servicing of the lands, as well as provisions for any easements and/or rights-of-way for their plants, prior to site plan approval and prior to any construction or grading on the lands.
26. The Owner makes satisfactory arrangements with Union Gas for the servicing of the lands, as well as provisions for any easements and/or rights-of-way for their plants, prior to site plan approval and prior to any construction or grading on the lands.

27. The Owner shall ensure that all telephone service and cable TV service on the Lands shall be underground. The Owner shall enter into a servicing agreement with the appropriate service providers for the installation of underground utility services for the Lands, prior to site plan approval and prior to any construction or grading on the lands.
28. Prior to the issuance of site plan approval, written confirmation shall be received from the General Manager of Solid Waste Resources or his or her designate that the proposed development is in conformance with By-law (2011)-19199, known as the Waste Management By-law.
29. That prior to site plan approval and prior to any construction or grading on the lands, the Owner shall enter into a Site Plan Control Agreement with the City, registered on title, satisfactory to the City Solicitor and the General Manager/City Engineer, covering the conditions noted above.

78 Starwood Drive
Recommended Zoning Regulations and Conditions

The property affected by the Zoning By-law Amendment application is municipally known as 78 Starwood Drive and legally described as Part of Lots 4 and 5, Concession 3, Division C, Township of Guelph, Being Parts 11 and 14, 61R-7989, City of Guelph.

PROPOSED ZONING

The following zoning is proposed for 78 Starwood Drive:

R.4B-? (Specialized High Density Residential) Zone

Permitted Uses

In accordance with Section 5.4.1.2, with the following additions:

- Retirement Residential Facility to a maximum of 150 units
- Live/Work Units
- Office
- Medical office
- Retail establishment
- Artist studio
- Gallery
- Personal service establishment
- Convenience store
- Restaurant
- Restaurant (take-out)
- Dry cleaning outlet

The following non-residential uses shall be permitted within a Live-Work Unit in addition to a dwelling unit:

- Art gallery
- Artisan studio
- Financial establishment
- Personal service establishment
- Retail establishment
- Dry cleaning outlet
- Florist
- Medical office (maximum of 1 practitioner)
- Office
- Commercial School

For the purpose of the R.4B-? Zone, the following definitions shall apply:

A "Live/Work Unit" shall mean a dwelling unit within a building, in which the portion of the unit at grade level may be used as a business establishment and whereby each "live" and "work" component within the dwelling unit has an independent entrance from the outside.

A "Street Entrance" shall mean the principal entrance to a business which shall be located in a part of the building facing a public street that is at or within 0.2 metres above or below grade.

Regulations

In accordance with Section 4 (General Provisions) and Section 5.4.2 and Table 5.4.2 (Residential Apartment R.4 Zone Regulations) with the following additions and exceptions:

Minimum Density

- 100 units per hectare

Maximum Density

- 150 units per hectare
- Notwithstanding the permitted maximum density, retirement residential units developed within this zone are permitted to exceed the maximum density to a maximum of 160 units per hectare.

Building Setbacks from Starwood Drive

Minimum - 0.6 metres

Maximum – 5 metres

Building Setbacks from Watson Parkway North

Minimum - 0.6 metres

Maximum – 10 metres, with a portion of any building to be located at a setback between 0.6 metres and 5 metres

Minimum Side Yard

0 metres to address interior side yard setbacks created by the phasing of development

Off-street Parking

- 1.17 spaces per unit (including all non-residential units)
- 0.59 spaces per unit for retirement residential units

Minimum Building Height

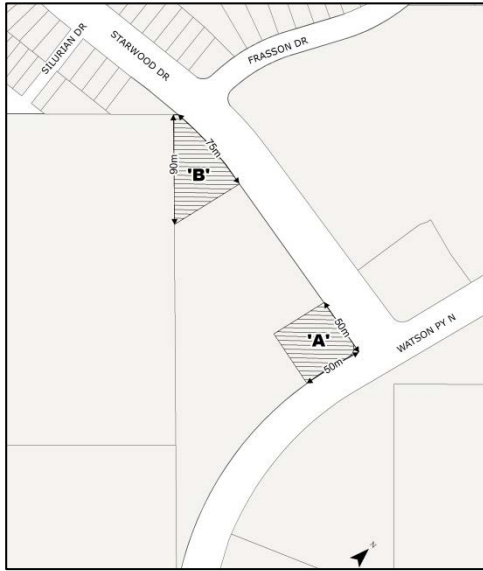
4 storeys, except for the portion of the site shown as Area 'A' in Illustration 1 below (*within 50 metres of the intersecting street line projections on Starwood Drive and Watson Parkway North*), where the minimum building height shall be 6 storeys.

Maximum Building Height

10 storeys, except for the portion of the site shown as Area 'B' in Illustration 1 below, where the maximum building height shall be 4 storeys.

Buildings taller than eight storeys shall have a minimum main wall stepback of 3 metres above the eighth storey.

Illustration 1



Floor Space Index (FSI)

2.5

Location of Parking Areas

- Parking areas shall be permitted within 2 metres of a lot line
- No parking areas shall be located between a building façade and Starwood Drive or Watson Parkway North
- Underground parking spaces shall be permitted within 0.6 metre of a lot line

Minimum Landscaped Open Space

20% of the lot area

Minimum Common Amenity Area

11 square metres per unit

Regulations for Non-Residential Uses

- Buildings fronting on Starwood Drive within 120 metres of the intersecting street line projections at Starwood Drive and Watson Parkway North shall contain ground level non-residential uses.
- Buildings fronting on Starwood Drive within 50 metres of the intersecting street line projections at Starwood Drive and Watson Parkway North shall incorporate ground level commercial uses along Starwood Drive, exclusive of live/work units.
- Street Entrances to non-residential units shall be located facing Starwood Drive
- The first storey of non-residential uses shall have a minimum ceiling height of 3.5 metres above grade

Severability Provision

The provisions of this By-law shall continue to apply collectively to the whole of the subject lands in the R.4B-? Zone, despite any future severance, conveyance, dedication, partition or division for any purpose.

R.4B-? (H) (Specialized High Density Residential) Holding Zone

In accordance with the provisions of the R.4B-? Zone.

H (Holding) Provisions

The Holding symbol shall be removed from the zoning designation by way of an amending zoning by-law following:

- The necessary assembly or consolidation of any lands required to ensure orderly development and satisfactory driveway access in association with abutting developable lands with frontage on Watson Parkway North.

R.1D (H) (Single Detached Residential) Holding Zone

In accordance with the provisions of the R.1D Zone.

H (Holding) Provisions

The Holding symbol shall be removed from the zoning designation by way of an amending zoning by-law when the following has been completed to the satisfaction of the City:

- Make the necessary arrangements for the provision of a public road extension to connect with Starwood Drive.
- Consideration of a walkway block to provide a public connection from Starwood Drive to the proposed trail system within abutting open space lands.
- Sufficient assembly or consolidation of required abutting lands to facilitate orderly development and the future severance of lands to permit the development of full residential lots fronting on Starwood Drive in accordance with the zoning by-law.

PROPOSED CONDITIONS

The following conditions are provided as information to Council and will be imposed through site plan approval:

1. The Owner shall submit to the City, in accordance with Section 41 of *The Planning Act*, a fully detailed site plan(s), indicating the location of buildings, landscaping, parking, circulation, access, lighting, grading and drainage on the said lands to the satisfaction of the General Manager of Planning Services and the City Engineer, prior to Site Plan approval, and furthermore the Owner agrees to develop the said lands in accordance with the approved plan.
 - c) Further, the Owner commits and agrees that the details of the layout, elevations and design for development of the subject lands shall be in general accordance and conformity with the conceptual development plan attached as Attachment 7 to the December 8, 2014 Planning, Building, Engineering and Environment Report Number 14-63.
 - d) Further, the Owner shall implement the recommendations of the Urban Design Brief, dated June 25, 2014, by MSAi, as updated in consultation with City staff, to the satisfaction of the General Manager of Planning Services.

2. Prior to the issuance of site plan approval, the Owner shall provide the City with written confirmation that development of the subject site will be to a standard that implements energy efficiency in order to support the Community Energy Initiative to the satisfaction of the General Manager of Planning Services in accordance with the letter attached as Attachment 11 to Report 14-63 from Planning, Building, Engineering and Environment dated December 8, 2014.
3. Prior to the issuance of site plan approval, the Owner 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 known municipally as 78 Starwood Drive to the satisfaction of the City. If contamination is found, the consultant will determine its nature and the requirements for its removal and disposal at the Owner's expense.
4. Prior to issuance of a building permit for the property, the Owner shall complete the following:
 - a. file a Record of Site Condition (RSC) on the Ministry of the Environment (MOE) Environmental Site Registry for the property including certification by a Qualified Person as defined by O.Reg. 153/04 that the environmental condition of the property meets the appropriate MOE Site Condition Standards for the intended land use; and,
 - b. Submit the MOE acknowledgment letter for the RSC to the satisfaction of the City.
5. Prior to site plan approval and prior to any construction or grading on the lands, the Owner shall provide to the City, to the satisfaction of the General Manager/City Engineer, any of the following studies, plans and reports that may be requested by the General Manager/City Engineer:
 - a) a traffic impact and operations report;
 - b) a functional servicing report;
 - c) a stormwater management report and plans certified by a Professional Engineer in accordance with the City's Guidelines and the latest edition of the Ministry of the Environment's "Stormwater Management Practices Planning and Design Manual" which addresses the quantity and quality of stormwater discharge from the site together with a monitoring and maintenance program for the stormwater management facility to be submitted;
 - d) a geotechnical report certified by a Professional Engineer that analysis the permeability and hydraulic conductivity of the soils and recommends measures to ensure that they are not diminished by the construction and development;
 - e) a grading, drainage and servicing plan prepared by a Professional Engineer for the site; and
 - f) a detailed erosion and sediment control plan, certified by a Professional Engineer that indicates the means whereby erosion will be minimized and sediment maintained on-site throughout grading and construction.
6. The Owner shall, to the satisfaction of the General Manager/City Engineer, address and be responsible for adhering to all the recommended measures contained in the plans, studies and reports outlined in subsections 5 a) to 4 f) inclusive.
7. The Owner shall pay its share, in accordance with the City's cost-sharing policies and to the satisfaction of the General Manager/City Engineer, of the actual cost of the following works:

- a) removal of the existing road medians on Starwood Drive between Frasson Drive and Watson Parkway and on Watson Parkway to promote connectivity and pedestrian/cyclist movement;
- b) on-street parking, on-street cycling facilities, bus pads, street trees and other pedestrian facilities;
- c) any turning lanes required at the site accesses.

Furthermore, prior to site plan approval and prior to any construction or grading on the lands, the Owner shall pay to the City, the City's estimate of the Owner's share of the cost of the above noted works.

- 8. The Owner shall be responsible for the actual cost of any service laterals required for the lands and furthermore, prior to site plan approval and prior to any construction or grading on the lands, the Owner shall pay to the City, the estimated cost as determined by the General Manager/City Engineer of any service laterals.
- 9. The Owner shall pay the actual cost of removing or decommissioning to the satisfaction of the General Manager/City Engineer, any existing sanitary sewers, storm sewers, manholes and/or watermains to the lands that are not going to be used for service laterals. Furthermore, prior to site plan approval and prior to any construction or grading on the lands, the Owner shall pay to the City, the estimated cost as determined by the General Manager/City Engineer of the Owner's share of the cost of the removals and decommissioning works.
- 10. The Owner shall pay to the City the actual cost of the construction of the new driveway entrances and required curb cuts. Furthermore, prior to site plan approval and prior to any construction or grading on the lands, the Owner shall pay to the City, the estimated cost as determined by the General Manager/City Engineer of the construction of the new driveway entrances and required curb cuts.
- 11. The Owner shall provide a 15.0-metre radius at the intersection of Starwood Drive and Watson Parkway North as part of the development, prior to site plan approval and prior to any construction or grading on the lands.
- 12. The Owner shall prepare and implement a construction traffic access and control plan for all servicing and building construction to the satisfaction of the General Manager/City Engineer. Any costs related to the implementation of such a plan shall be borne by the Owner.
- 13. That the Owner constructs, installs and maintains erosion and sediment control facilities, satisfactory to the General Manager/City Engineer, prior to any grading or construction on the lands in accordance with a plan that has been submitted to and approved by the General Manager/City Engineer.
- 14. The Owner shall provide a qualified environmental inspector, satisfactory to the General Manager of Planning Services and the General Manager/City Engineer, to inspect the site during all phases of development and construction including grading, servicing and building construction. The environmental inspector shall monitor and inspect the erosion and sediment control measures and procedures, and compliance with the Environment Impact Study on a weekly or more frequent basis if required. The environmental inspector shall report on his or her findings to the City on a monthly or more frequent basis.
- 15. That the Owner constructs the new buildings at such an elevation that the lowest level of the new buildings can be serviced with a gravity connection to the sanitary sewer.

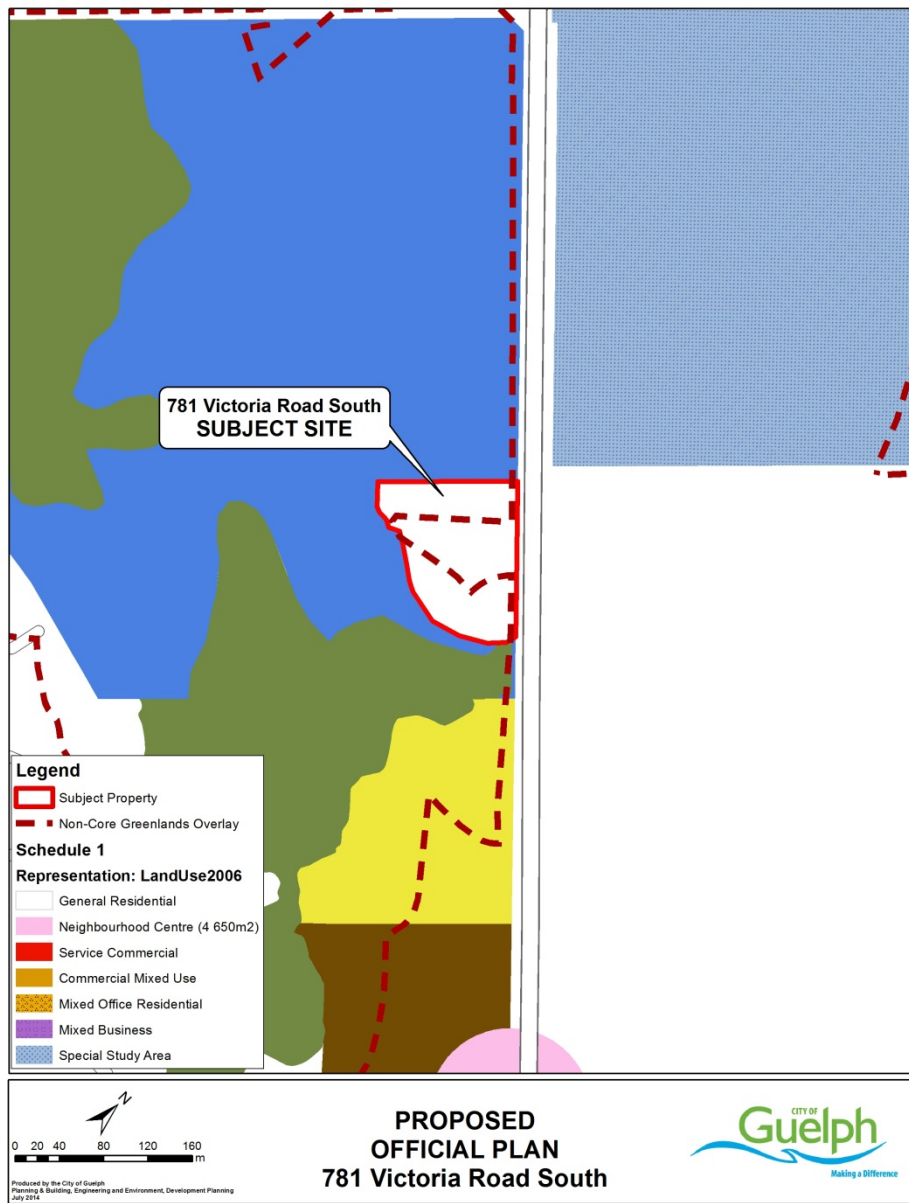
16. That the Owner grades, develops and maintains the site including the storm water management facilities designed by a Professional Engineer, in accordance with a Site Plan that has been submitted to and approved by the General Manager/City Engineer. Furthermore the Owner shall have the Professional Engineer who designed the storm water management system certify to the City that he/she supervised the construction of the storm water management system and that the storm water management system was built as it was approved by the City and that it is functioning properly.
17. That the Owner will ensure that all boreholes and monitoring wells installed for hydrogeological or geotechnical investigations are properly decommissioned in accordance with current Ministry of the Environment regulations (O.Reg. 903 as amended) and to the satisfaction of the General Manager/City Engineer, prior to site plan approval and prior to any construction or grading on the lands.
18. The Owner acknowledges that the City does not allow retaining walls higher than 1.0-metre abutting existing residential properties without the permission of the General Manager/City Engineer.
19. The Owner shall pay to the City the cost of installing bus stop pads at locations to be determined by Guelph Transit.
20. That all electrical services to the lands are underground and the Owner shall make satisfactory arrangements with Guelph Hydro Electric Systems Inc. for the servicing of the lands, as well as provisions for any easements and/or rights-of-way for their plants, prior to site plan approval and prior to any construction or grading on the lands.
21. That the Owner makes satisfactory arrangements with Union Gas for the servicing of the lands, as well as provisions for any easements and/or rights-of-way for their plants, prior to site plan approval and prior to any construction or grading on the lands.
22. The Owner shall ensure that all telephone service and cable TV service on the Lands shall be underground. The Owner shall enter into a servicing agreement with the appropriate service providers for the installation of underground utility services for the Lands, prior to site plan approval and prior to any construction or grading on the lands.
23. Prior to site plan approval, grading or tree removal, the Owner shall:
 - a. complete an Environmental Implementation Report (EIR) to the satisfaction of the General Manager of Planning. The EIR will provide details with respect to stormwater management and refined wetland water balance, including details on the proposed 60 m infiltration trench, tree management, permanent fencing, naturalization and landscaping, education and stewardship, trails and a salt management plan as well as any other recommendations from the Scoped Environmental Impact Study dated May 2014. As well the EIR will be based on an approved Terms of Reference and will include grading, drainage and erosion and sediment control plans, baseline data to inform the effectiveness monitoring program and will address the Environmental Advisory Committee motion from July 16, 2014 to the satisfaction of the General Manager of Planning.
 - b. complete a Tree Inventory, Preservation and Compensation Plan, satisfactory to the General Manager of Planning Services and in accordance with the City of Guelph Bylaw (2010)-19058 prior to any grading, tree removal or construction on the site.

- c. undertake a post-development monitoring program as detailed in the Environmental Implementation Report to the satisfaction of the General Manager of Planning. The Owner 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.
24. Prior to the issuance of site plan approval, written confirmation shall be received from the General Manager of Solid Waste Resources or his or her designate that the proposed development is in conformance with By-law (2011)-19199, known as the Waste Management By-law.
25. Prior to the issuance of site plan approval for the lands, the owner shall pay to the City, the City's total cost of reproduction and distribution of the Guelph Residents' Environmental Handbook, to all future households within the project, with such payment based on a cost of one handbook per residential household, as determined by the City.
26. The Owner shall pay to the City, as determined applicable by the Chief Financial Officer/City Treasurer, development charges and education development charges, in accordance with the City of Guelph Development Charges By-law (2009)-18729, as amended from time to time, or any successor thereof, and in accordance with the Education Development Charges By-laws of the Upper Grand District School Board (Wellington County) and the Wellington Catholic District School Board, as amended from time to time, or any successor by-laws thereof, prior to this issuance of any building permits, at the rate in effect at the time of the issuance of a building permit.
27. The Owner shall enter into an agreement with the City, registered on title, satisfactory to the City Solicitor and the General Manager/City Engineer, covering the conditions noted above.

781 Victoria Road South

Proposed Official Plan Amendment Policies

Amend Schedule 1, Land Use Plan of the Official Plan, as shown below, by changing the land use designation affecting a 1.27 hectare portion of the lands municipally known as 781 Victoria Road South and legally described as Part of Lot 2, Concession 8, (formerly Puslinch Township), City of Guelph, County of Wellington, from the current "Major Institutional" to "General Residential".



General Residential / Housing Policies

- 7.2.2 The City shall encourage and assist, where possible, in the production of an adequate supply and mix of *affordable housing* by:
- a) Expediting the *development* approval process and other administrative requirements;
 - b) Partnering with the private sector and other government levels to implement housing programs;
 - c) Encouraging the provision of *affordable housing* in plans of subdivision that are designed for moderate and lower income households, and, more particularly, for large subdivisions requiring this housing form to be provided to a minimum 25% of the total potential units.
 - d) Encouraging the use of alternative development techniques that can assist in lowering development costs and potentially lower housing costs;
 - e) Promoting a 3 percent *vacancy rate* for rental housing;
 - f) Encouraging the provision of additional rental housing;
 - g) Promoting the provision of *affordable housing*, located near transit, shopping, parks and other community facilities, in order to meet the needs of lower income and senior citizen households;
 - h) Supporting student housing developments conveniently accessible to the University of Guelph;
 - i) Supporting the provision of specialized housing facilities to meet the needs of persons with disabilities.
- 7.2.3 In order to provide for the housing needs of a wide array of socio-economic groups, the City will encourage the development of a variety of housing types and forms in large plans of subdivision.
- 7.2.4 The City shall provide for the creation of *accessory apartments* and other alternative, low impact housing forms for the lower density residential areas of the City. Regulations promoting compatibility of this housing form will be outlined in the *Zoning By-law*.
- 7.2.5 The City will encourage the conversion of suitable non-residential structures to residential accommodation, provided other non-residential land uses in the vicinity would not pose an *adverse effect*.
- 7.2.6 The conversion of a residential building and the conversion or redevelopment of existing non-residential buildings for multiple unit housing will be encouraged, where appropriate. Where the proposed conversion or redevelopment is of a building previously used for industrial, or other use having the potential to have resulted in environmental contamination, the provisions of subsection 5.6 will also apply to the building as well as the property. Such conversions or redevelopment shall require an amendment to the Zoning By-law and satisfy the criteria outlined in policy 7.2.7.

- 7.2.7 Multiple unit residential buildings, such as townhouses, row dwellings and apartments, may be permitted within designated areas permitting residential uses. The following development criteria will be used to evaluate a development proposal for multiple unit housing:
- a) That the building form, massing, appearance and siting are compatible in design, character and orientation with buildings in the immediate vicinity;
 - b) That the proposal can be adequately served by local convenience and neighbourhood shopping facilities, schools, parks and recreation facilities and public transit;
 - c) That the vehicular traffic generated from the proposal can be accommodated with minimal impact on local residential streets and intersections and, in addition, vehicular circulation, access and parking facilities can be adequately provided; and
 - d) That adequate municipal infrastructure, services and amenity areas for the residents can be provided.

General Residential' Land Use Designation

- 7.2.31 The predominant use of land in areas designated, as 'General Residential' on Schedule 1 shall be residential. All forms of residential *development* shall be permitted in conformity with the policies of this designation. The general character of development will be low-rise housing forms. *Multiple unit residential buildings* will be permitted without amendment to this Plan, subject to the satisfaction of specific development criteria as noted by the provisions of policy 7.2.7. Residential care facilities, *lodging houses*, *coach houses* and garden suites will be permitted, subject to the development criteria as outlined in the earlier text of this subsection.
- 7.2.32 Within the 'General Residential' designation, the *net density of development* shall not exceed 100 units per hectare (40 units/acre).
1. In spite of the density provisions of policy 7.2.32 the *net density of development* on lands known municipally as 40 Northumberland Street, shall not exceed 152.5 units per hectare (62 units per acre).
- 7.2.33 The physical character of existing established low density residential neighbourhoods will be respected wherever possible.
- 7.2.34 Residential lot *infill*, comprising the creation of new low density residential lots within the older established areas of the City will be encouraged, provided that the proposed *development* is compatible with the surrounding residential environment. To assess compatibility, the City will give consideration to the existing predominant zoning of the particular area as well as the general design parameters outlined in subsection 3.6 of this Plan. More specifically, residential lot *infill* shall be compatible with adjacent residential environments with respect to the following:
- a) The form and scale of existing residential development;
 - b) Existing building design and height;
 - c) Setbacks;

- d) Landscaping and amenity areas;
- e) Vehicular access, circulation and parking; and
- f) Heritage considerations.

7.2.35 Apartment or townhouse *infill* proposals shall be subject to the development criteria contained in policy 7.2.7.

9.3 Official Plan Amendments

9.3.1 It is the policy of Council that any provision of this Plan may be amended pursuant to the requirements of the Planning Act.

9.3.2 When considering an application to amend the Official Plan, Council shall consider the following matters:

- a) The conformity of the proposal to the goals and objectives of this Plan;
- b) Suitability of the site or area for the proposed use, especially in relation to other sites or areas of the City;
- c) Compatibility of the proposed use with adjacent land use designations;
- d) The need for the proposed use, in light of projected population and employment targets;
- e) The market feasibility of the proposed use;
- f) The extent to which the existing areas of the City designated for the proposed use are developed or are available for development;
- g) The impact of the proposed use on sewage, water and solid waste management systems, the transportation system, community facilities and the natural environment; and
- h) The financial implications of the proposed development.

9.3.3 Council shall provide information regarding a proposed amendment to the Official Plan to such boards, commissions, agencies and the public that may have an interest in it. Prior to approving a proposed amendment, Council shall afford such organizations and the public an opportunity to submit comments.

9.3.4 Council shall, prior to approving an amendment to this Plan, provide information and hold a public meeting for the purposes of obtaining public input concerning the proposal, subject to the provisions of the Planning Act.

781 Victoria Road South
Recommended Zoning Regulations and Conditions

The property affected by the Zoning By-law Amendment application is municipally known as 781 Victoria Road South and is legally described as Part of Lot 2, Concession 8, (formerly Puslinch Township), City of Guelph, County of Wellington.

PROPOSED ZONING

The following zoning is proposed for 781 Victoria Road South:

R.1B-? (Specialized Single Detached Residential) Zone

In accordance with Section 5.1 of Zoning By-law (1995)-14864, with the following exceptions:

Permitted Uses

- Single detached dwellings on a private condominium road
- Accessory Apartment in accordance with Section 4.15.1
- Home Occupation in accordance with Section 4.19

Regulations

In accordance with Section 5.1.2 and Table 5.1.2 of Zoning By-law (1995)-14864, with the following exceptions:

- Despite Section 4.1 of Zoning By-law (1995)-14864, development may occur on a privately owned street
- Minimum Front Yard of 4.5 metres to front wall of habitable space
- Minimum Exterior Side Yard of 3 metres adjacent to private streets
- Minimum Rear Yard of 5 metres or 20% of the lot depth whichever is less

PROPOSED CONDITIONS

The following conditions that apply to the proposed development are provided as information to Council and will be imposed through the future consent to sever application, site plan approval process and/or draft plan of condominium:

1. The Owner shall submit to the City (including a site plan control agreement registered on title), in accordance with Section 41 of The Planning Act, site plan(s) to the satisfaction of the General Manager of Planning Services and the City Engineer. Furthermore, the Owner agrees to develop the said lands in accordance with the approved plan.
 - a. Further, the Owner commits and agrees that the site plan shall provide enhanced side building principles to be implemented for the proposed single detached dwellings adjacent to Victoria Road.
 - b. Further, the Owner shall implement any noise mitigation measures as required by the full noise report for lots adjacent to Victoria Road.
2. The Owner 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 ensure that such property is free of 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 site plan approval, a Qualified Person shall certify that all properties to be developed are free of contamination.

3. If contamination is found, the Owner shall:
 - a. 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 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 (RSC) on the Provincial Environmental Registry for lands to be developed.
4. Prior to any severance of the lands and prior to any construction or grading on the lands, the Owner shall have a Professional Engineer design a grading/drainage plan and stormwater management system for the site, satisfactory to the City Engineer.
5. Prior to any severance of the lands and prior to any construction or grading on the lands, the Owner shall update and finalize as required by the City, any or all of the following studies, plans and reports to the satisfaction of the General Manager/City Engineer:
 - a. a geotechnical report certified by a Professional Engineer that analyzes the permeability and hydraulic conductivity of the soils and recommends measures to ensure that they are not diminished by the construction and development;
 - b. a servicing and stormwater management report certified by a Professional Engineer in accordance with the City's Guidelines and the latest edition of the Ministry of the Environment's "Stormwater Management Practices Planning and Design Manual" which addresses the quantity and quality of stormwater management onsite together with a monitoring and maintenance program for the stormwater management facility;
 - c. A detailed erosion and sediment control plan in accordance with the Grand River Conservation Authority Guidelines, certified by a Professional Engineer that indicates the means whereby erosion will be minimized and sediment maintained on-site throughout all phases of grading and construction.
6. The Owner shall, to the satisfaction of the General Manager/City Engineer, address and be responsible for adhering to all the recommended measures contained in the plans, studies and reports outlined in subsections 5 a) to 5 c) inclusive.
7. The Owner shall grade, develop and maintain the site including the storm water management system designed by a Professional Engineer, in accordance with a Development Plan that has been submitted to and approved by the General Manager/City Engineer. Furthermore, the Owner shall have the Professional Engineer who designed the storm water management system certify to the City that he/she

supervised the construction of the storm water management system, and that the storm water management system was approved by the City and that it is functioning properly.

8. Prior to any construction or grading on the lands, the Owner shall construct, install and maintain erosion and sediment control facilities, satisfactory to the General Manager/City Engineer, in accordance with a plan that has been submitted to and approved by the General Manager/City Engineer.
9. The Owner shall pay to the City the actual cost of the construction of the new driveway access, curb cut including boulevard restoration, i.e. topsoil/sod within the right-of-way allowance prior to any severance of the lands and prior to any construction or grading on the lands. Furthermore, prior to any severance of the lands and prior to any construction or grading on the lands, the Owner shall pay to the City the estimated cost of constructing the new driveway access, curb cut, including boulevard restoration, i.e. topsoil/sod within the right-of-way allowance as determined by the General Manager/City Engineer.
10. The Owner shall pay to the City its share of the actual cost of constructing roadworks on Victoria Road across their frontage (781 Victoria Road), including curb and gutter, catchbasins, sidewalks, streetlighting as determined by the City Engineer. Furthermore, prior to any severance of the lands and prior to any construction or grading on the lands, the Owner shall pay the estimated cost of the roadworks as determined by the City Engineer.
11. That prior to any severance of the lands and prior to any construction or grading on the lands, the Owner shall pay to the City, \$151.93/m representing the outstanding owner's share of the cost of the existing watermain on Victoria Road across the frontage.
12. That prior to any severance of the lands and prior to any construction or grading on the lands, the Owner shall pay to the City, \$531.46/m representing the outstanding owner's share of the cost of the existing gravity sanitary sewer on Victoria Road across the frontage.
13. The Owner shall pay to the City the actual cost of any service laterals required and furthermore, prior to any severance of the lands and prior to any construction or grading on the lands, the Owner shall pay to the City the estimated cost of the service laterals, as determined by the General Manager/City Engineer.
14. That the Owner constructs the new buildings at such an elevation that the lowest level of the new buildings can be serviced with a gravity connection to the sanitary.
15. Prior to any severance of the lands and prior to any construction or grading on the lands, the Owner shall deed to the City free of all encumbrances a 3.0-metre (9.84 feet) wide parcel of land for a road widening along the entire frontage of the property.
16. Prior to any severance of the lands and prior to any construction or grading on the lands, the Owner shall have an Ontario Land Surveyor prepare a reference plan identifying the road widening.

17. The Owner shall make satisfactory arrangements with Union Gas for the servicing of the lands, as well as provisions for any easements and/or rights-of-way for their plant, prior to site plan approval and prior to any construction or grading on the lands.
18. That all electrical services to the lands are underground and the Owner shall make satisfactory arrangements with Guelph Hydro Electric Systems Inc. for the servicing of the lands, as well as provisions for any easements and/or rights-of-way for their plants, prior to site plan approval and prior to any construction or grading on the lands.
19. The Owner shall ensure that all telephone service and cable TV service in the Lands shall be underground. The Owner shall enter into a servicing agreement with the appropriate service providers for the installation of underground utility services for the Lands.
20. Prior to the issuance of a building permit, any domestic wells, monitoring wells and boreholes drilled for hydrogeological or geotechnical investigations shall be properly abandoned in accordance with current Ministry of the Environment Regulations and Guidelines. The Owner shall submit a Well Record to the satisfaction of the City Engineer.
21. Prior to issuance of a building permit, the Owner is required to reimburse the City Engineering Department for the cost of reviewing development plans at a rate of 5% of the estimated cost of all the site works.
22. Prior to any severance of the lands and prior to any construction or grading on the lands, the Owner shall:
 - a. complete an Environmental Implementation Report (EIR) to the satisfaction of the General Manager of Planning. The EIR will provide details with respect to stormwater management and wetland water balance, tree management, restoration and enhancement including invasive species removal and education and stewardship information as outlined in the recommendations of the EIS Addendum dated September 19th, 2014. As well the EIR will be based on an approved Terms of Reference and will include grading, drainage and erosion and sediment control plans, salt management plan, baseline data to inform the effectiveness monitoring program and will address the Environmental Advisory Committee motion from May 14, 2014 to the satisfaction of the General Manager of Planning.
 - b. complete a Tree Inventory, Preservation and Compensation Plan, satisfactory to the General Manager of Planning Services and in accordance with the City of Guelph Bylaw (2010)-19058 prior to any grading, tree removal or construction on the site.
 - c. undertake a post-development monitoring program as detailed in the Environmental Implementation Report to the satisfaction of the General Manager of Planning. 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 should the monitoring program extend beyond registration of the Draft Plan of Condominium.

23. That prior to the issuance of building permits, the Owner shall pay to the City a cash payment in-lieu of conveyance of parkland in accordance with By-law (1989)-13410, as amended by By-law (1990)-13545 and By-law (2007)-18225 or any successor thereof.
24. The Owner shall submit a Noise Impact Study to the satisfaction of the General Manager of Planning Services addressing the potential traffic noise impacts from Victoria Road.
25. The Owner shall pay to the City, as determined applicable by the Chief Financial Officer/City Treasurer, development charges and education development charges, in accordance with the City of Guelph Development Charges By-law (2009)-18729, as amended from time to time, or any successor thereof, and in accordance with the Education Development Charges By-laws of the Upper Grand District School Board (Wellington County) and the Wellington Catholic District School Board, as amended from time to time, or any successor by-laws thereof, prior to this issuance of any building permits, at the rate in effect at the time of the issuance of a building permit.
26. The Owner shall carry out an archaeological assessment of the subject lands and mitigate, through preservation or resource removal, adverse impacts to any significant archaeological resources found. No grading or any soil disturbances shall take place on the subject lands prior to the issuance of a letter from the Ministry of Citizenship, Culture and Recreation to the City indicating that all archaeological assessment and/or mitigation activities undertaken have met licensing and resource conservation requirements.
27. Prior to the issuance of site plan approval, written confirmation shall be received from the General Manager of Solid Waste Resources or his or her designate that the proposed development is in conformance with By-law (2011)-19199, known as the Waste Management By-law.
28. The Owner shall provide the City with written confirmation that the subject site will be developed to a standard that implements energy efficiency in order to support the Community Energy Initiative to the satisfaction of the General Manager of Planning Services in accordance with the letter attached as Attachment 10 to Report 14-59 from Planning, Building, Engineering and Environment dated December 8, 2014.
29. The Owner shall enter into an agreement with the City, registered on title, satisfactory to the General Manager of Planning Services and the City Engineer, covering the conditions noted above and to develop the site in accordance with the approved plans and reports.