



A great place to call home
A vibrant downtown

A progressive diversified economy
An appealing attractive city

AGENDA

GUELPH CITY COUNCIL

May 8, 2006 - 6:30 p.m.

- O Canada
- Silent Prayer
- Disclosure of Pecuniary Interest

PLANNING PUBLIC MEETING UNDER THE PLANNING ACT

Council is now in a public meeting under the Planning Act to deal with the following matters:

1. **DUNNINK HOMES LIMITED** (58 & 78 Fleming Road) – proposed Draft Plan of Subdivision and Associated Zoning By-law Amendment (File 23T-03502 / ZC0304) to permit the development of 23 lots for detached dwellings
 - Presentation by Chris DeVriendt
2. **642 WOOLWICH STREET** – proposed Zoning By-law Amendment from the R.1B (Residential Single Detached) Zone to the C.1 (Commercial) Zone (File ZC0601)
 - Presentation by Melissa Castellan
3. **FURFARO** – 26 & 30 Arthur Street South – proposed Zoning By-law Amendment from the R.1B-10 (Specialized Residential Single Detached) Zone to a Specialized R.2-? (Residential Semi-detached) Zone to recognize the existing semi-detached dwelling (File ZC0519)
 - Presentation by Chris De Vriendt

Please bring reports which were previously distributed.

ADJOURNMENT



kelph

Report: 06-36

PLANNING AND DEVELOPMENT SERVICES

TO: Council

DATE: May 8, 2006

**SUBJECT: DUNNINK HOMES LIMITED (58 & 78 FLEMING ROAD) -
Proposed Draft Plan of Subdivision and Associated Zoning By-
law Amendment (File 23T-03502/ ZC0304) – Ward 2**

RECOMMENDATION:

“THAT the application by Van Harten Surveying Inc. on behalf of Dunnink Homes Limited for approval of a Draft Plan of Subdivision (23T-03502) and associated Zoning By-law Amendment (ZC0304) to permit the development of 23 lots for detached dwellings be placed on the City Council agenda of June 5, 2006 for a decision”.

(The Staff recommendation for Council's consideration is outlined in **Schedule 2**)

SUMMARY:

Request for approval for a Residential Draft Plan of Subdivision and associated Zoning By-law Amendment to permit a total of 23 lots for detached dwellings and a pedestrian walkway on 1.63 hectares of land (see **Schedule 4**).

BACKGROUND:

Location: The subject site is located north of Fleming Road, west of Watson Road North, and south of Grange Road. A single private property containing an automotive repair shop (48-50 Fleming Road) borders the subject lands to the west. Detached residential uses are located to the east (see Location Map on **Schedule 1**). A school site and large park area (O'Conner Lane Park) are located to the northwest.

Official Plan: The subject properties are vacant and undeveloped lands that form part of the Eastview Secondary Plan, approved in 1991 to direct future development in this area. The land use concept developed through this secondary planning exercise now forms part of the Land Use Concept in Schedule 1 of the Official Plan. The subject lands are designated “General Residential” in the Official Plan.

Existing Zoning: The subject properties are zoned UR (Urban Reserve)

Adjacent Lands: The area surrounding the subject site has been developed, or is currently being developed for residential purposes. As illustrated by the registered plans shown on **Schedule 3**, the subject lands represent the last remaining larger parcel of undeveloped lands within this area. Previous phases of the Guelph Grangehill Estates Development have occurred to the west (61M18), to the north (RP 875, 61M59 and 61M93) and to the east and south (61M85). Most recently, the Seaton Ridge Communities Subdivision (61M124) was registered in 2005 as a separate infill residential subdivision to the south along the extension of Pettitt Drive, which is currently being serviced for development. The proposed subdivision and the eventual connection of Law Drive through the adjacent property to the west at 48-50 Fleming Road will complete the overall pattern of development for this area.

Application Chronology

The application was initially circulated on February 25, 2004. Two issues have created the delay in bringing forward this application for Council's consideration. The first issue related to the ongoing efforts to include the adjacent lot to the west (48-50 Fleming Road) within the proposed subdivision (see **Schedule 1**). Although these adjacent lands are not included within the current application, the proposed subdivision has been designed to accommodate the required extension and completion of Law Drive. Future development on the rear portion of these adjacent lands will provide the necessary continuation of Law Drive to complete the connection to O'Connor Lane and Starwood Drive.

The second issue causing delay related to efforts in determining the need for the proposed subdivision to provide a full road connection to Law Drive through the extension of Swift Drive. Ultimately, it was determined that a full road connection was not required from a traffic perspective and that the inclusion of the proposed pedestrian walkway would be appropriate to provide this necessary neighbourhood connection.

The original subdivision application was revised to ensure that the appropriate pedestrian connection is provided from Swift Crescent to Law Drive south through the subject lands. The associated revisions included:

- Providing a 9 metre wide pedestrian walkway (Block 24) from Law Drive to connect with Swift Crescent and the adjacent park; and
- Phasing the subdivision accordingly to ensure that the maximum road length engineering standard of 150 metres for cul-de-sacs was not exceeded. Given that the segment of Law Drive from its intersection of Clyde Creek Drive to the western boundary of the property exceeds this standard by approximately 48 metres, the subdivision is required to be phased accordingly.

The revised plan was circulated December 21, 2005.

REPORT:

Description of Subdivision Proposal

The applicant has proposed to subdivide the subject property in accordance with the plan shown on **Schedule 5**. A total of 23 lots for detached dwellings are proposed within the overall plan. Lots 1 to 22 are proposed along the frontage of the Law Drive extension. Frontage for proposed Lot 23 would be provided by Fleming Road to the south of Law Drive. The first phase of development would include a total of 16 single detached lots and a 9 metre wide walkway (Block 24) to provide a pedestrian connection from the development to Swift Crescent and the adjacent park. Proposed Lots 1 to 8 and 16 to 23 are included within the first phase of development. The remaining lots within Phase 2 (Lots 9-15) will be held out of development until the full road connection of Law Drive can be provided.

The net density of residential development within the overall subdivision proposal is 14 units per hectare.

Description of Proposed Zoning By-law Amendment

To accommodate the proposed land uses, the applicant is requesting that the zoning of the lands be changed from UR (Urban Reserve) to R.1B (Single Detached Residential), R.1C (Single Detached Residential), and P.3 (Community Park). The development of Phase 1 includes eight (8) single family dwellings proposed to conform to the existing R.1C requirements and eight (8) single family dwellings are proposed to conform to the existing R.1B requirements. The pedestrian walkway is proposed to be zoned P.3 (Community Park), consistent with the current zoning of the adjacent O'Connor Lane Park.

The development of Phase 2 includes four R.1C lots on the north side of the extension of Law Drive and three R.1B lots on the south side of the extension of Law Drive. The zoning concept and the proposed Zoning Regulations for the subdivision are attached in **Schedule 6**.

Planning Analysis

The draft plan of subdivision conforms to the policies and land use schedules of the Official Plan. The proposed draft plan of subdivision is considered to be an appropriate infill development that would allow land use intensification of underutilized lots while maintaining compatibility with the adjacent residential area. The proposal accommodates the expected extension of Law Drive and supports the eventual completion of Law Drive to O'Connor Lane and Starwood Drive. The development pattern proposed along Law Drive represents the logical extension of previously approved development to the east. In addition, the future extension of Law Drive through the rear portion of the adjacent parcel to the west will provide sufficient road frontage to allow the appropriate lotting of additional single detached lots along this remaining segment of Law Drive. Development will be phased appropriately to ensure that Law Drive is not extended beyond its 150 metre maximum length standard for cul-de sacs (see **Condition 23 in Schedule 2**).

The option to extend Swift Crescent through the subject lands to provide a full road connection to Fleming Road was examined through the review of this application. While the requirement for this full road connection was determined not necessary from a traffic perspective, the requirement to provide pedestrian access from the proposed subdivision to the neighbourhood to the north and to O'Connor Lane Park was identified. Following discussions with the applicant and City staff, the inclusion of the 9 metre wide pedestrian walkway from Law Drive to Swift Crescent was proposed to provide this important connectivity function.

The timing of the proposed subdivision is consistent with the approved 2006 Development Priorities Plan (DPP). The DPP schedules this subdivision for Draft Plan approval and registration in 2006. The chart shown on **Schedule 7** indicates that adequate water and wastewater capacity exists for this 23 lot residential subdivision.

The proposed subdivision and associated Zoning By-law amendment is recommended for approval, subject to the conditions specified in **Schedule 2**. It is recommended that this development application be placed on the June 5, 2006 Council meeting for a decision.

CORPORATE STRATEGIC PLAN:

The subdivision application supports Strategic Direction #1: The management of growth in a balanced and sustainable manner.

FINANCIAL IMPLICATIONS:

Based on Maximum of 23 Residential Units

Population Projections

- 75 persons (based on 3.28 persons per unit)

Projected Taxation

- \$76,344 (based on average values from 2003 to 2005 assessment)

Development Charges

- \$237,015

DEPARTMENTAL CONSULTATION/CONCURRENCE:

A summary of all the public and agency comments received during the review of this application is included in **Schedule 8**.

ATTACHMENTS:

Schedule 1 – Location Map

- Schedule 2** – Regulations and Conditions
- Schedule 3** – Surrounding Residential Development
- Schedule 4** – Official Plan Land Use Designations
- Schedule 5** – Proposed Draft Plan of Subdivision
- Schedule 6** – Proposed Zoning Concept
- Schedule 7** – Water/Wastewater Capacity Chart
- Schedule 8** – Summary of Circulation Comments
- Schedule 9** – Public Notification

Prepared By:
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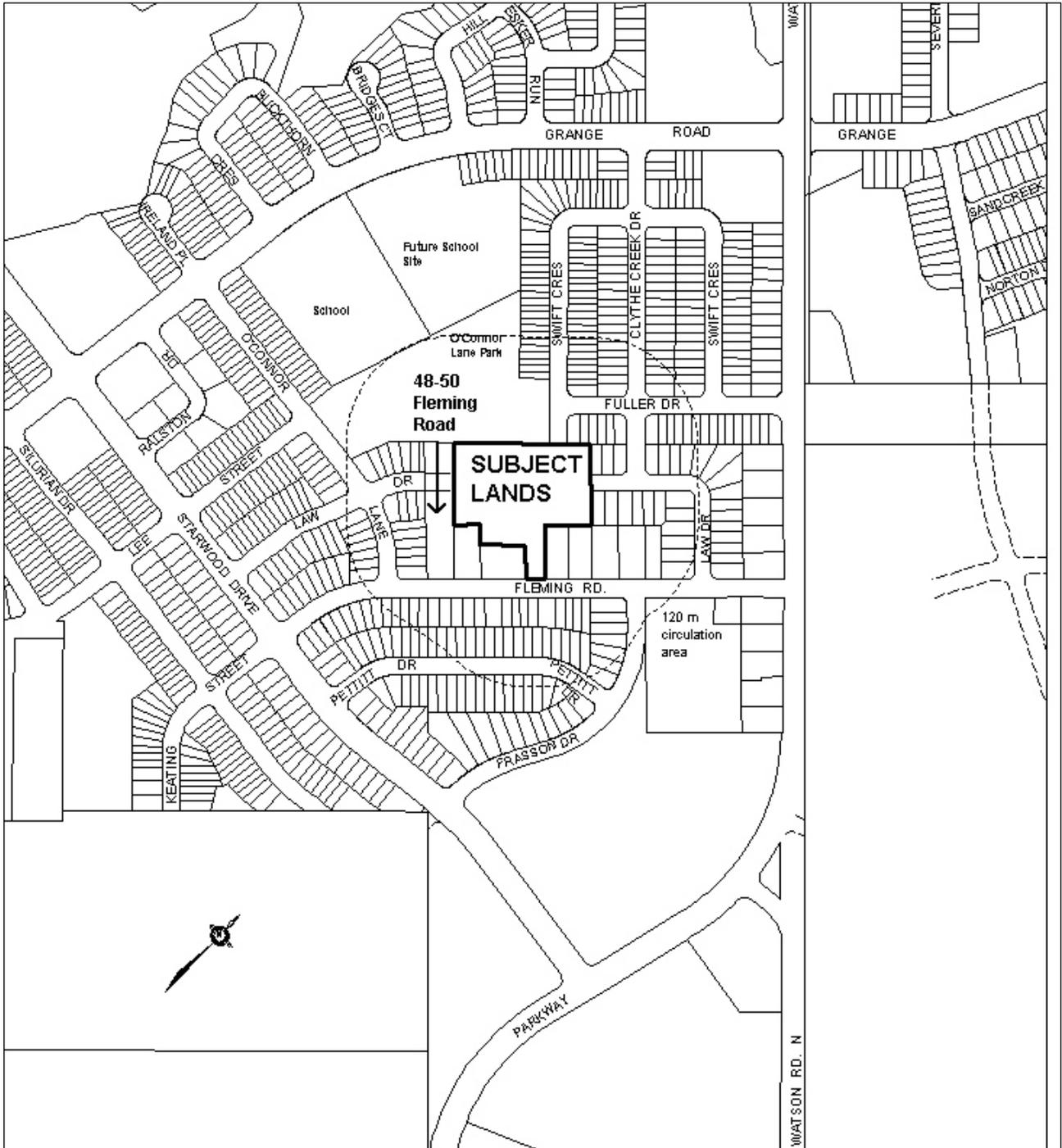
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Approved for Presentation
Larry Kotseff
Chief Administrative Officer

SCHEDULE 1

LOCATION MAP



SCHEDULE 2

REGULATIONS AND CONDITIONS

"THAT the application by Van Harten Surveying Inc. on behalf of Dunnink Homes Limited for approval of a Draft Plan of Subdivision (File 2303502) and associated Zoning By-law Amendment (ZC0304) on lands municipally known as 58 and 78 Fleming Road and described legally as Part of Lots 16, 17 and 18, Registered Plan 468, City of Guelph, **be approved**, subject to the following conditions:

CITY CONDITIONS

1. That this approval applies only to the revised draft plan of subdivision prepared by Van Harten Surveying Inc. on behalf of Dunnink Homes Limited, Project No. 15169-02, dated December 6, 2005, to include the development of 23 single detached dwellings and a 9 metre wide pedestrian walkway block, as shown on **Schedule 4**, including reserves.
 - The Draft Plan shall be **redlined** to include a **0.3 metre reserve** at the terminus of Law Drive for Phase 1.

Conditions to be met prior to grading or site alteration

2. That the Developer shall complete a **tree inventory and conservation plan**, satisfactory to the Director of Planning and Development Services prior to any grading, tree removal or construction on the site. (Planning)
3. That the Developer shall **stabilize all disturbed soil** within 90 days of being disturbed, control all noxious weeds and keep ground cover to a maximum height of 150 mm (6 inches) to the satisfaction of the City Engineer until the release of the subdivision agreement on the block/lot so disturbed. (Engineering)
4. That the Developer shall prepare and implement a **construction traffic access and control plan** for all phases of servicing and building construction to the satisfaction of the City Engineer. Any costs related to the implementation of such a plan shall be borne by the Developer. Any damage or maintenance required to surrounding streets as a result of such traffic shall be at the Developers cost. (Engineering)
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.
(Engineering)

6. The Developer shall enter into an **Engineering Services Agreement** with the City, satisfactory to the City Solicitor, which includes all requirements, financial and otherwise, to the satisfaction of the City.
(Engineering)
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. (Engineering)
8. That the Developer constructs, installs and maintains **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. (Engineering)
9. That the Developer shall submit a **Storm Water Management Report** 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 and Provincial Guidelines. Maintenance and operational requirements for any control and/or conveyance facilities must be provided. (Engineering)
10. That any **domestic wells located within the lands be properly abandoned** 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. (Engineering)

Conditions to be met prior to execution of subdivision agreement

11. The Developer is responsible for the **cost of the design and construction** of all municipal services required to service the lands within and external to the limits of the plan of subdivision including roadworks, and sanitary, storm and water facilities unless otherwise funded under the provisions of the City's Development Charges Bylaw (2004)-17361, as amended, the Local service Bylaw (1994)-14553, as amended, or a legal and binding agreement with another party. 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, watermain and emergency accesses. (Engineering)

12. The Developer shall pay for the actual **cost of constructing and installing municipal services on Fleming Road** across the frontage of the Plan as determined by the City Engineer. (Engineering)
13. The Developer shall pay a share of the actual **cost of the existing downstream stormwater management facility** as determined by the City Engineer. (Engineering)
14. The Developer shall pay a share of the actual cost of all **existing municipal services** within and abutting the Plan as determined by the City Engineer. (Engineering)
15. 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. (Engineering)
16. 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. (Engineering)
17. The Developer shall pay to the City the cost of installing **bus stop pads and Canada Post mailbox pads** at locations to be determined by Guelph Transit and Canada Post. (Engineering)
18. The Developer shall have **engineering servicing drawings and final reports** prepared for the approval of the City Engineer. These drawings must reflect the recommendations of all approved reports and studies prepared in support of this application. Such recommendations will be implemented at the cost of the Developer. (Engineering)
19. The Developer shall submit a final **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. (Engineering)
20. The Developer shall pay the cost related to the installation of 1 second order, second level **Geodetic Benchmark** in a location within the proposed subdivision to the satisfaction of the City Engineer. (Engineering)
21. 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. (Planning)

22. That the Developer agrees that, in the event that development of the property is to be phased, a **phasing plan** must be submitted prior to final approval of the first phase. The phasing plan shall indicate the sequence of development, the land areas in hectares, the number of lots and blocks in each phase, the proposed use of each block, the specific lots to be developed, site access to each phase, grading and the construction of public services, all to the satisfaction of the City of Guelph. Such phasing must be in conformance with the current Development Priorities Plan. (Planning)

Conditions to be met prior to registration of the plan

23. The Developer shall not proceed with the **Phase 2** works or registration until he can fully extend Law Drive to the existing terminus of Law Drive as established by Plan 61M-18 to the satisfaction of the City Engineer and the Director of Planning and Development Services.

24. That prior to the registration of the Plan, or any part thereof, the approval of the City must be obtained with respect to the availability of **adequate water supply and sewage treatment capacity**. (Engineering)

25. That the Developer acknowledges that the suitability of the land for the proposed uses is the responsibility of the landowner. The Developer shall retain a properly qualified consultant to prepare a **Phase 1 Environmental Site Assessment** (and any other subsequent phases required), to assess any real property to be conveyed to the City to ensure that such property is free of contamination. If contamination is found, the consultant will determine its nature and the requirements for its removal and disposal at the Developer's expense. Prior to the registration of the plan, the consultant shall certify that all properties to be conveyed to the City are free of contamination. (Legal)

26. 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. (Building)

27. The Developer shall submit a report prepared by a Professional Engineer to the satisfaction of the Chief Building Official providing an opinion on the presence of **soil gases (Radon and Methane)** in the

Plan of Subdivision in accordance with applicable provisions contained in the Ontario Building Code. (Building)

28. 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. (Legal)
29. That all **easements, blocks and rights-of-way** required within or adjacent to the proposed subdivision be granted free and clear of encumbrance to the satisfaction of the City of Guelph, Guelph Hydro Electric Systems Inc. and other Guelph utilities. (Legal)
30. The Developer shall pay any **outstanding debts** owed to the City. (Planning)
31. The Developer shall pay **development charges** to the City in accordance with By-law Number (2004) - 17361, as amended from time to time, or any successor thereof and in accordance with the Education Development Charges By-laws of the Upper Grand District School Board (Wellington County) and the Wellington Catholic District School Board as amended from time to time, or any successor by-laws thereto. (Finance)
32. The Developer shall provide an **on-street parking plan** indicating where on-street parking is to be made available and where appropriate signage is required to the satisfaction of the City Engineer. (Engineering)
33. The Developer agrees to place the following **notifications** in all offers of purchase and sale for all lots and/or dwelling units and in the City's subdivision agreement to be registered on title (Planning):
 - "Purchasers and/or tenants of all lots are advised that sump pumps will be required for every lot unless a gravity outlet for the foundation drain can be provided on the lot in accordance with a certified design by a Professional Engineer. Furthermore, all sump pumps must be discharged to the rear yard."
 - "Purchasers and/or tenants of all lots or units are advised that if any fee has been paid by the purchaser to the Developers for the planting of trees on City boulevards in front of residential units does not obligate the City nor guarantee that a tree will be planted on the boulevard in front or on the side of a particular residential dwelling."
 - "Purchasers and/or tenants of all lots or units are advised that a transit route may be installed on Law Drive within the subdivision at the discretion of the City. The location of such

route and bus stops will be determined based on the policies and requirements of the City. Such bus stops may be located anywhere along the route, including lot frontages.”

- “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 and construction traffic”.
- “Purchasers and/or tenants of lots or units are advised that the stub roads may be extended at some future date when the adjacent lands are developed”
- “Purchasers and/or tenants of all lots are advised that the Park Block has been designed for active public use and will include a pedestrian walkway. Be advised that the City may carry out regular maintenance such as grass cutting. Other maintenance may occur from time to time”.
- “Purchasers and/or tenants are advised that the boundaries of the Park Block will be demarcated in accordance with the City of Guelph Property Demarcation Policy. This demarcation will consist of living fences and property demarcation markers adjacent to lot numbers 3 and 4, and black vinyl chain link fence adjacent to lot numbers 3 and 4. The developer shall also send written notification of proposed demarcation types to any existing homeowners in lots adjacent to the Park Block”.

34. That all **telephone service and cable TV service** in the Plan be underground and the Developer shall enter into a servicing agreement with Bell Canada providing for the installation of underground telephone service. (Planning)

35. 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. (Planning)

36. The Developer shall **locate and construct all driveways** accessing municipal streets to the satisfaction of the City Engineer. (Engineering)

37. Prior to registration of the Plan, the Developer shall be responsible for the cost of design and development of the **property demarcation** (living fence and/or chain link) of all lands conveyed to the City in accordance with the City Property Demarcation Policy. This shall include submitting drawings completed by an Ontario Association of

Landscape Architect (OALA) full member for approval and to the satisfaction of the Director of Planning and Development Services. The Developer shall provide the City with financial security to cover an estimate approved by the City for the cost of the property demarcation works. (Planning)

38. The Developer shall erect and maintain **signage** at all entrances to the Subdivision prior to the sale of any lots and prior to commencement of subdivision construction which provides notification of the proposed landuse, zoning, road pattern, lotting, phasing and location of postal facilities within the subdivision. The signs shall be resistant to weathering and vandalism. (Planning)
39. That the developer shall **dedicate Block 24** for parks purposes (pedestrian walkway) in accordance with the provisions of City of Guelph By-law (1989)-13410, as amended by By-law (1990)-13545, or any successor thereof. (Legal and Planning)
40. That the developer shall pay **cash-in-lieu of parkland** for the balance of parkland dedication owing, in accordance with the City of Guelph By-law (1989)-13420, as amended by By-law (1990)-13545, or any successor thereof. (Planning)
41. That the developer shall be responsible for the cost of design and development of the “**Basic Park Development**” as per the City of Guelph Parks Department’s “Specifications for Parkland Development”, which includes clearing, grubbing, topsoiling, grading and sodding for any phase containing a Park block to the satisfaction of the Director of Community Services. The developer shall provide the City with cash or a letter of credit to cover the City’s estimate for the cost of the “Basic Parkland” improvements and works for the Park Block to the satisfaction of the Director of Planning and Development Services (Planning)
42. That the developer agrees to provide Community Services with a digital file of the plan of subdivision in either AutoCad – DWG format or DXF Format containing the following information: parcel fabric, street network, and final approved grades/contours of the park, open space and storm blocks. (Planning)
43. That prior to the registration of the plan, the developer shall install a 1.8 metre high chain link fence along the common boundary line of the subject property and 50 Fleming Road, to the satisfaction of the Director of Planning and Development Services. (Planning)

Agency Conditions

44. The developer agrees to meet all requirements of **Guelph Hydro Electric Systems Inc.** including the relocation of existing hydro

services and the installation of new hydro services and shall enter into any agreements required by Guelph Hydro Electric Systems Inc. in order to fully service the said lands with hydro facilities to the satisfaction of Guelph Hydro Electric Systems Inc., prior to the registration of the plan.

45. That the developer shall complete the following conditions to the satisfaction of the **Upper Grand District School Board**:

- a) That adequate sidewalks, lighting and snow removal be provided in the proposed subdivision to allow children to walk safely to school.
- b) That the developer agrees to provide the Upper Grand District School Board with a digital file of the plan of subdivision in either ARC/INFO export or DXF format containing the following information: parcel fabric and street network.
- c) That the developer and the Upper Grand District School Board shall reach an agreement regarding the supply and erection of a sign (at the developer's expense and according to Upper Grand District School Board specifications) affixed to the permanent development sign advising perspective residents that students may be directed to schools outside the neighbourhood.

46. That the developer shall complete the following conditions to the satisfaction of the **Wellington Catholic District School Board**:

- a) That the developer and the Wellington Catholic District School Board reach an agreement regarding the supply and erection of signage, at the developer's expense, affixed to the subdivision sign advising potential Separate School supporters of the location of schools serving the area and the current practice of busing students outside the immediate area should school in the area be at capacity.
- b) Where walkways and sidewalks are planned, that they be maintained on a year-round basis, and kept free of snow during winter months. Further, vegetative plantings in these locations be appropriately designed to provide a safe walking environment for students.
- c) Sidewalks are recommended along all streets in the subdivision to ensure a safe walking route for any future students to any school or bus pick-up/drop-off locations along existing and proposed public roads.

47. 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.

48. Draft Plan Approval of the subdivision shall lapse at the expiration of **3 years** from the date of issuance of Draft Plan Approval.
49. 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 29 and 44 have been satisfied.
50. That prior to the registration of all, or any portion of, the plan, **Bell Canada** shall advise the City in writing, how Condition 34 has been satisfied.
51. That prior to the registration of all, or any portion of, the plan, the **Upper Grand District School Board** shall advise the City in writing, how Conditions 45 has been satisfied.
52. 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 46 has been satisfied.
53. That prior to the registration of all, or any portion of, the plan, the **Canada Post** shall advise the City in writing, how Condition 47 has been satisfied.

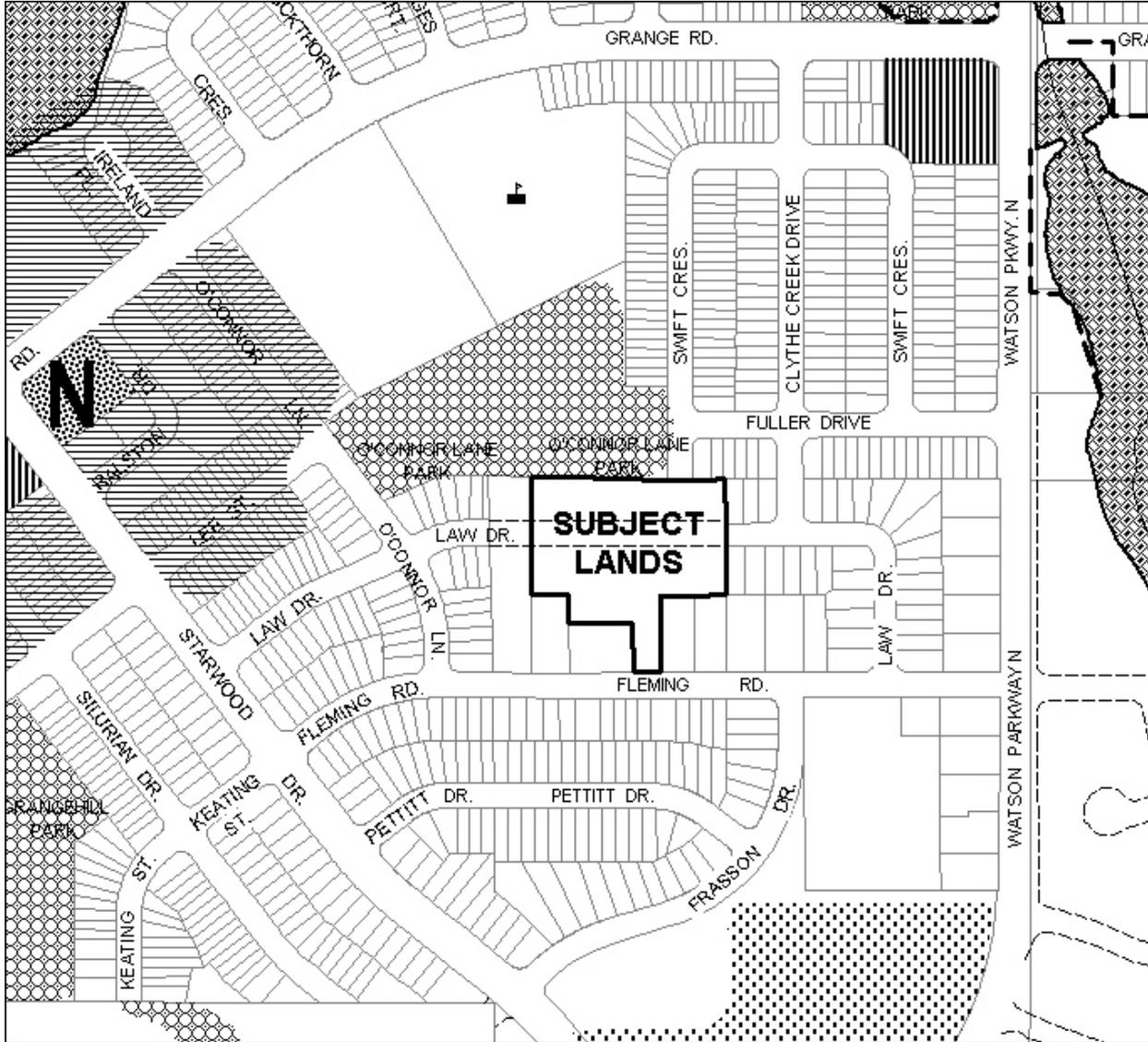
AND

“THAT the proposed rezoning of the lands be approved and City Staff be instructed to prepare the necessary amendment to Zoning By-law Number (1994)-14864, as amended, to rezone the subject lands as follows:

LOTS OR BLOCKS	LAND USE	PROPOSED ZONING
Lots 1-8	Single detached residential	R.1C
Lots 15-23	Single detached residential	R.1B
Block 24	Pedestrian Walkway	P.3

SCHEDULE 4

OFFICIAL PLAN LAND USE DESIGNATIONS

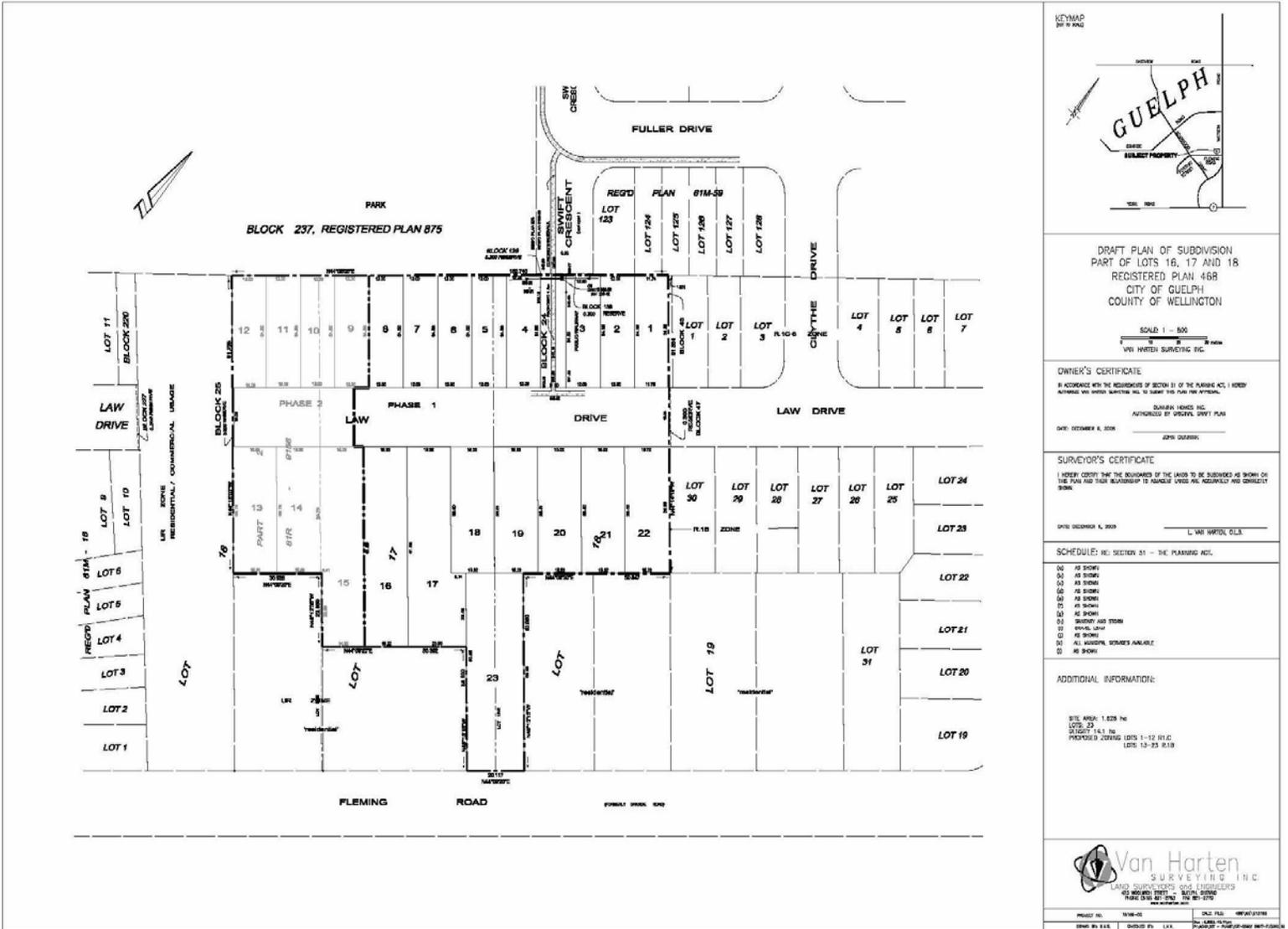


Land Use Legend:

-  GENERAL RESIDENTIAL
-  MEDIUM DENSITY RESIDENTIAL
-  HIGH DENSITY RESIDENTIAL
-  NEIGHBOURHOOD COMMERCIAL CENTRE
-  INDUSTRIAL
-  OPEN SPACE
-  CORE GREENLANDS
-  NON-CORE GREENLANDS OVERLAY

SCHEDULE 5

PROPOSED DRAFT PLAN OF SUBDIVISION AND DETAILS



DRAFT PLAN OF SUBDIVISION
PART OF LOTS 16, 17 AND 18
REGISTERED PLAN 468
CITY OF GUELPH
COUNTY OF WELLINGTON

SCALE 1" = 500'

V.H.I. HARTEN SURVEYING INC.

OWNER'S CERTIFICATE

I HEREBY CERTIFY THAT THE REQUIREMENTS OF SECTION 31 OF THE PLANNING ACT, 1990 ARE SATISFIED AND I AUTHORIZE THE SURVEYOR TO SUBMIT THIS PLAN FOR APPROVAL.

DANIEL HARTEN INC.
AUTHORIZED BY VERTICAL SURVEY PLAN

DATE: OCTOBER 4, 2009

JOHN QUINN

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT THE BOUNDARIES OF THE LOTS TO BE SUBDIVIDED AS SHOWN ON THIS PLAN AND THEIR RELATIONSHIP TO ADJACENT LOTS ARE ACCURATELY AND COMPLETELY SHOWN.

DATE: OCTOBER 4, 2009

L. VAN HARTEN OLS

SCHEDULE: RE: SECTION 31 - THE PLANNING ACT.

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ADDITIONAL INFORMATION:

SITE AREA: 1.029 Ha
LOT 27: 1.029 Ha
PROPOSED ZONING: LOTS 1-12 R1.C.
LOTS 13-31 R1.B.

Van Harten
SURVEYING INC.
LAND SURVEYORS AND ENGINEERS

400 HURON STREET SUITE 2000
GUELPH ONTARIO N1H 2Y9

PHONE: 519-821-5242 FAX: 519-821-5750

PROJECT NO. 1000-02 DATE: 10/04/09 SHEET NO. 1000-02-01

OWNER: VAN HARTEN SURVEYING INC. DATE: 10/04/09

SCHEDULE 5

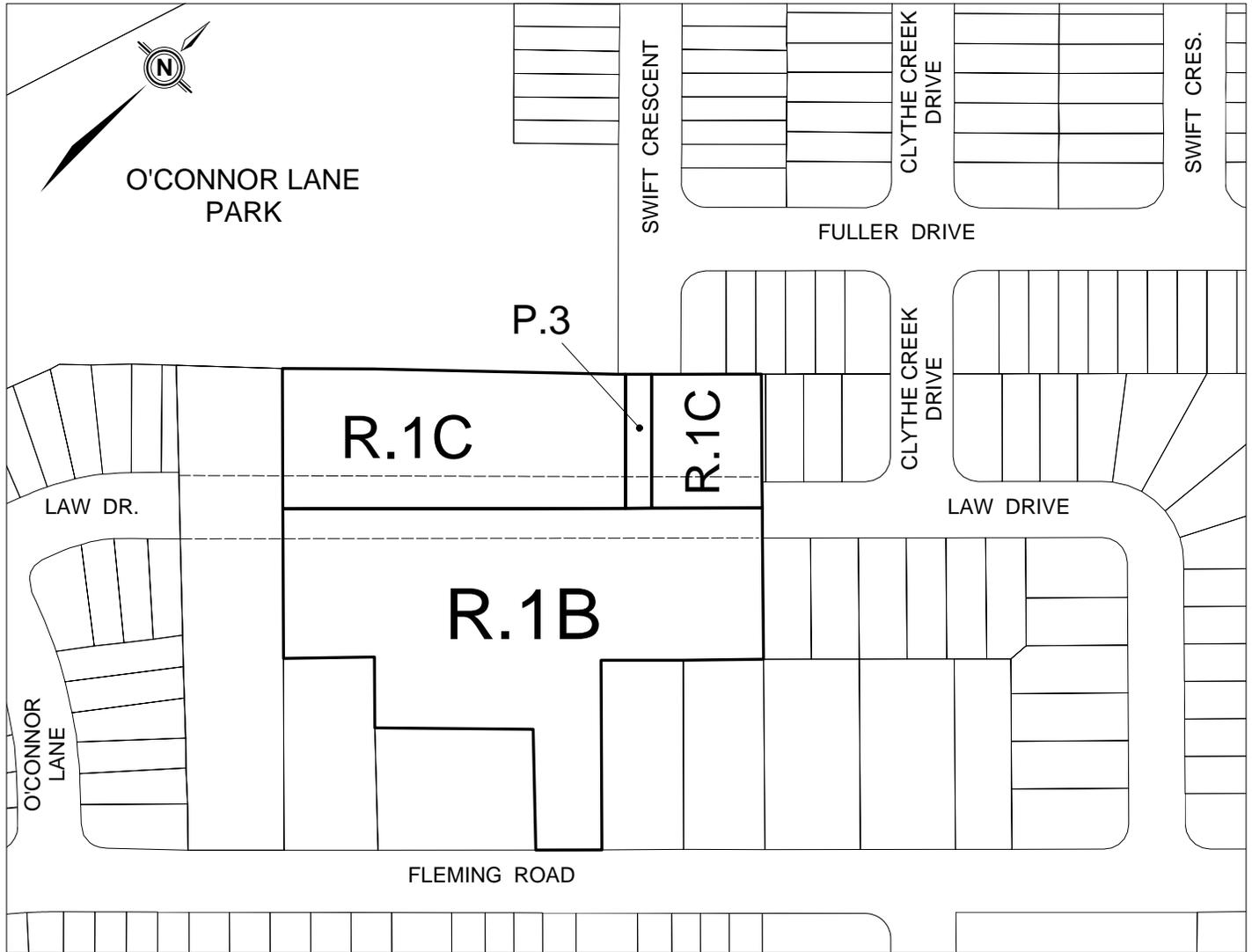
PROPOSED DRAFT PLAN OF SUBDIVISION AND DETAILS

LAND USE SCHEDULE

LOTS/BLOCKS	LAND USE
PHASE 1	
Lots 1-8 Lots 16-23	Single-Detached Residential
Block 24	Pedestrian Walkway
PHASE 2	
Lots 9-15	Single-Detached Residential
TOTAL AREA 1.625 hectares	

SCHEDULE 6

PROPOSED ZONING CONCEPT



SCHEDULE 6

PROPOSED ZONING CONCEPT

LOTS OR BLOCKS	LAND USE	PROPOSED ZONING
Lots 1-8	Single detached residential	R.1C
Lots 15-23	Single detached residential	R.1B
Block 24	Pedestrian Walkway	P.3

The general Single Detached Zoning Standards from City of Guelph Zoning By-law No. (1995)-14864 are:

R.1B	Minimum Area- 460m ²	Minimum Frontage-15m
R.1C	Minimum Area- 370m ²	Minimum Frontage-12m

SCHEDULE 7

2006 DPP Water/Wastewater Capacity

Explanation: These charts show the determination of how many units can be serviced (line 3) after subtracting the actual capacity used and the theoretical commitments (line 2) from the total available capacity (line 1). Line 4 shows how many units are proposed in the 2006 Development Priorities Plan and line 5 confirms that capacity is available for these units.

	October 31, 2005 *	Water	Wastewater
1	Firm Capacity	63,000 m ³ /day	64,000 m ³ /day
	Actual Average Annual Flow	52,036 m ³ /day	52,893 m ³ /day
2	Committed Firm Capacity	54,979 m ³ /day	56,903 m ³ /day
3	Free Registered Dwelling Unit Capacity	6,962 units	6,082 units
4	Units to be registered in 2006 based on the approved Development Priorities Plan	1,287 units	1,287 units
5	Capacity Available	YES	YES

Firm Capacity represents the physical capacity of the constructed and committed water and wastewater infrastructure to deliver an annual daily average of 63 000 m³/day of water supply and 64 000 m³/day of wastewater treatment.

Committed Firm Capacity is the actual average annual daily flow for water and wastewater treatment averaged over the past three years plus a theoretical commitment of capacity for any registered units that have not yet been constructed. The figure for wastewater treatment also includes a total of 1200 m³/day committed to the Village of Rockwood.

58 and 78 Fleming Road Draft Plan of Subdivision (23T-03502)

	October 31, 2005 *	Water	Wastewater
1	Planning Capacity	75,260 m ³ /day	73,000 m ³ /day
2	Committed Planning Capacity	59,820 m ³ /day	61,775 m ³ /day
3	Free Registered Dwelling Unit & Draft Plan Approval Capacity	17,167 units	13,356 units
4	Units to be Draft Plan Approved	23	23
5	Capacity Available	YES	YES

Planning Capacity for water supply includes the sum of all water pumping certificates of approval. Not all of our approved capacity is currently available. Planning capacity for wastewater is based upon the approved assimilative capacity of the Speed River. Plant expansion of an additional 9,000 m³/day is planned for 2008.

Committed Planning Capacity is the sum of Committed Capacity plus a theoretical commitment of capacity for any draft approved units that have not yet been registered.

* The number of development units in the annual DPP and the calculation of water and wastewater capacity are both tied to actuals, as of October 31, 2004.

SCHEDULE 8

SUMMARY OF CIRCULATION COMMENTS

<u>RESPONDENT</u>	<u>NO OBJECTION OR COMMENT</u>	<u>CONDITIONAL SUPPORT</u>	<u>ISSUES/CONCERNS</u>
Planning		✓	<ul style="list-style-type: none"> Support proposal subject to conditions outlined in Schedule 2.
Engineering*		✓	<ul style="list-style-type: none"> Support proposal subject to conditions outlined in Schedule 2.
G.R.C.A.*	✓		
Parks		✓	<ul style="list-style-type: none"> Support proposal subject to conditions outlined in Schedule 2. Provision of pedestrian walkway and cash-in-lieu
Heritage Guelph	✓		
Township of Guelph Eramosa	✓		
Guelph Field Naturalists	✓		
Guelph Development Association	✓		<ul style="list-style-type: none"> Support proposal
Wellington Catholic District School Board		✓	<ul style="list-style-type: none"> Standard conditions
Upper Grand District School Board		✓	<ul style="list-style-type: none"> Standard conditions
Finance		✓	<ul style="list-style-type: none"> Development charges
Fire	✓		
Police	✓		
Guelph Transit	✓		
Guelph Hydro		✓	<ul style="list-style-type: none"> Standard conditions
Canada Post		✓	
Brant Avenue Neighbourhood Group	✓		
Aldo Braidà on behalf of Nancy Pigozza* (50 Fleming Road)			<ul style="list-style-type: none"> Request for fencing along common property lines (see Condition #43 in Schedule 2)

* comments attached

SCHEDULE 9

PUBLIC NOTIFICATION

January 27, 2003	Application received by City of Guelph.
February 25, 2003	Public Notification sign erected and Notice of Application mailed to prescribed agencies and surrounding property owners within 120 metres (400 feet).
December 21, 2005	Revised application mailed to prescribed agencies and surrounding property owners within 120 metres (400 feet).
April 13, 2006	Notice of a Public Meeting mailed to prescribed agencies and surrounding property owners within 120 metres (400 feet).
May 8, 2006	Public Meeting of City Council.



Report:

**PLANNING & DEVELOPMENT SERVICES
(REPORT 06-37)**

TO: Council

DATE: 2006/05/08

**SUBJECT: 642 WOOLWICH STREET: PROPOSED ZONING BY-LAW
AMENDMENT (ZC0601)**

RECOMMENDATION:

“THAT the application by R. Cross for a zoning amendment from the R.1B (Residential Single Detached) Zone to the C.1 (Commercial) Zone affecting the property municipally known as 642 Woolwich Street and legally described as Part Lot 2, Plan 245, City of Guelph, BE APPROVED, in accordance with the regulations and conditions set out in SCHEDULE 2 of the Planning Report dated May 8, 2006.”

BACKGROUND:

Location: The subject property is situated on the west side of Woolwich Street; south of the intersection of Woolwich Street and Speedvale Avenue (see **Schedule 1**).

This section of Woolwich Street primarily consists of low-rise residential properties with commercial plazas situated on the northwest, northeast and southeast corners of the intersection. The subject property contains a detached residential dwelling with a registered accessory apartment.

Official Plan Designation: The subject property is designated “General Residential” in the City of Guelph Official Plan. This designation permits residential uses in low rise housing forms at a maximum density of 100 units per hectare.

Convenience commercial uses that provide services primarily to residents in the surrounding neighbourhood may be permitted in residential areas. The Official

Plan limits these uses to a maximum gross leasable floor area of 300 square metres (3200 square feet) on a property and provides specific policy direction for the location and development of non-residential uses in residential zones.

Existing Zoning: The subject property is zoned R.1B (Residential Single Detached).

The following uses are permitted in the R.1B zone:

- Single Detached Dwelling
- Accessory Apartment
- Bed and Breakfast
- Day Care Centre
- Group Home
- Home Occupation
- Lodging House

REPORT:

Description of Proposed Zoning By-law Amendment: The applicant proposes to amend the zoning for 642 Woolwich Street from the R.1B (Residential Single Detached) Zone to the C.1 (Commercial) Zone in order to operate a personal services establishment (hair salon) on the property.

The following uses are permitted in the C.1 Zone:

- Artisan Studio
- Convenience Store
- Day Care Centre
- Group Home
- Lodging House
- Personal Service Establishment
- Restaurant (take-out)
- Dwelling Units with permitted commercial uses in the same Building

Planning Analysis: This application seeks to establish a non-residential use in an area that is designated for residential uses. The criteria for establishing a non-residential use in a residential area is set out in the Official Plan in sections 7.2.26, 7.2.27 and 7.2.28 (see **Schedule 5**).

Planning staff have considered this application in terms of the criteria set out in Section 7.2.27 and conclude that the proposal satisfies the criteria as follows:

Official Plan Section 7.2.27.1

a) *Be located on an arterial or collector road:*

The subject property is situated on Woolwich Street, which is an arterial road, in close proximity to the intersection of Woolwich Street and Speedvale Avenue.

b) *Be located on the property in a manner which minimizes the impact of traffic, noise, signs and lighting on adjoining residential properties:*

The main floor of the existing detached dwelling is proposed to be used as a personal services establishment and the existing registered accessory apartment is to remain. The property will maintain its residential appearance as no changes are proposed to the exterior of the dwelling. The parking area is proposed to occupy the rear yard of the property. Site plan approval is required for this application and a condition (**Schedule 2**, Condition 5) is recommended to address potential impacts and ensure that the parking area is adequately screened from neighbouring residential properties.

c) *Have adequate landscaping and screening to promote compatibility with adjacent activities:*

As previously stated, minimal changes are proposed to the external appearance and landscaping of the existing dwelling. Condition 5 related to site plan approval will ensure that these matters are addressed and that the parking area is adequately screened.

d) *Have sufficient off-street parking, circulation and access points:*

The required parking for a personal services establishment is 1 space per 16.5 square metres and the required parking for dwelling units is 1 space per unit. The applicant proposes a hair salon with an area of 91 square metres and 1 dwelling unit. A total of 7 parking spaces is required; 6 for the hair salon and 1 for the dwelling unit.

Engineering Services has indicated concerns with the subject property related to parking layout, driveway access and traffic conflicts due to the subject property's proximity to the intersection of Woolwich Street and Speedvale Avenue (see comments in **Schedule 7**). Engineering Staff have also indicated that the parking area will require grading, drainage and storm water management to be designed and approved through the site plan approval process.

Modifications to the site are anticipated in order to address Engineering concerns and these modifications will be dealt with through the site plan approval process and through the conditions in **Schedule 2**. Modifications could include widening of the driveway access and the removal of the exterior stair case. The site plan approval process will include detailed site design and will ensure that the site functions appropriately.

e) *Have adequate municipal services:*

The property has full municipal services.

Official Plan Section 7.2.27.2

Non-residential uses will be encouraged to concentrate at neighbourhood "nodes".

The subject property is located within 25 metres of an existing neighbourhood node at the intersection of Woolwich Street and Speedvale Avenue. The proposed use fits well within the mixed use context of the area (residential and commercial) and satisfies this criterion of the Official Plan. **Schedule 6** shows the Official Plan designation of properties in this area. This schedule displays the subject property's location in an area of transition between commercial and residential uses on an arterial road.

Concluding Comments: The subject property is suitable for C.1 Commercial uses. The uses permitted in the C.1 zone are at the neighbourhood scale and the subject property can accommodate the proposed personal services establishment in a manner that is compatible with adjacent properties. This application also satisfies the Official Plan policies related to providing local convenience uses and personal services within walking distance of residential neighbourhoods.

The applicant proposes to maintain the accessory apartment on the property as a rental residential unit. The C.1 zone permits dwelling units with permitted commercial units in the same building. The continued residential use of this property is desirable and appropriate from a planning perspective.

Planning staff are confident that the parking and site access issues raised by Engineering can be appropriately addressed through the site plan approval process and are satisfied that the property can accommodate the required number of parking spaces for a personal services establishment.

There were no comments or concerns raised by neighbouring property owners in response to the circulation of this zoning amendment application.

This zoning amendment application is recommended for approval subject to **Schedule 2**.

CORPORATE STRATEGIC PLAN:

Supports Strategic Plan Directions 1 and 2:

- 1) To manage growth in a balanced and sustainable manner.
- 2) Diversifying and building upon our competitive strengths to create a positive environment for business investment.

DEPARTMENTAL CONSULTATION/CONCURRENCE:

The public and agency comments received during the review of the application are included on **Schedule 7**.

ATTACHMENTS:

- Schedule 1: Location Map
- Schedule 2: Regulations and Conditions
- Schedule 3: Existing Zoning
- Schedule 4: Proposed Zoning
- Schedule 5: Official Plan Policies
- Schedule 6: Official Plan Map
- Schedule 7: Circulation Comments
- Schedule 8: Public Notification Summary

Prepared By:
Melissa Castellan
Senior Development Planner

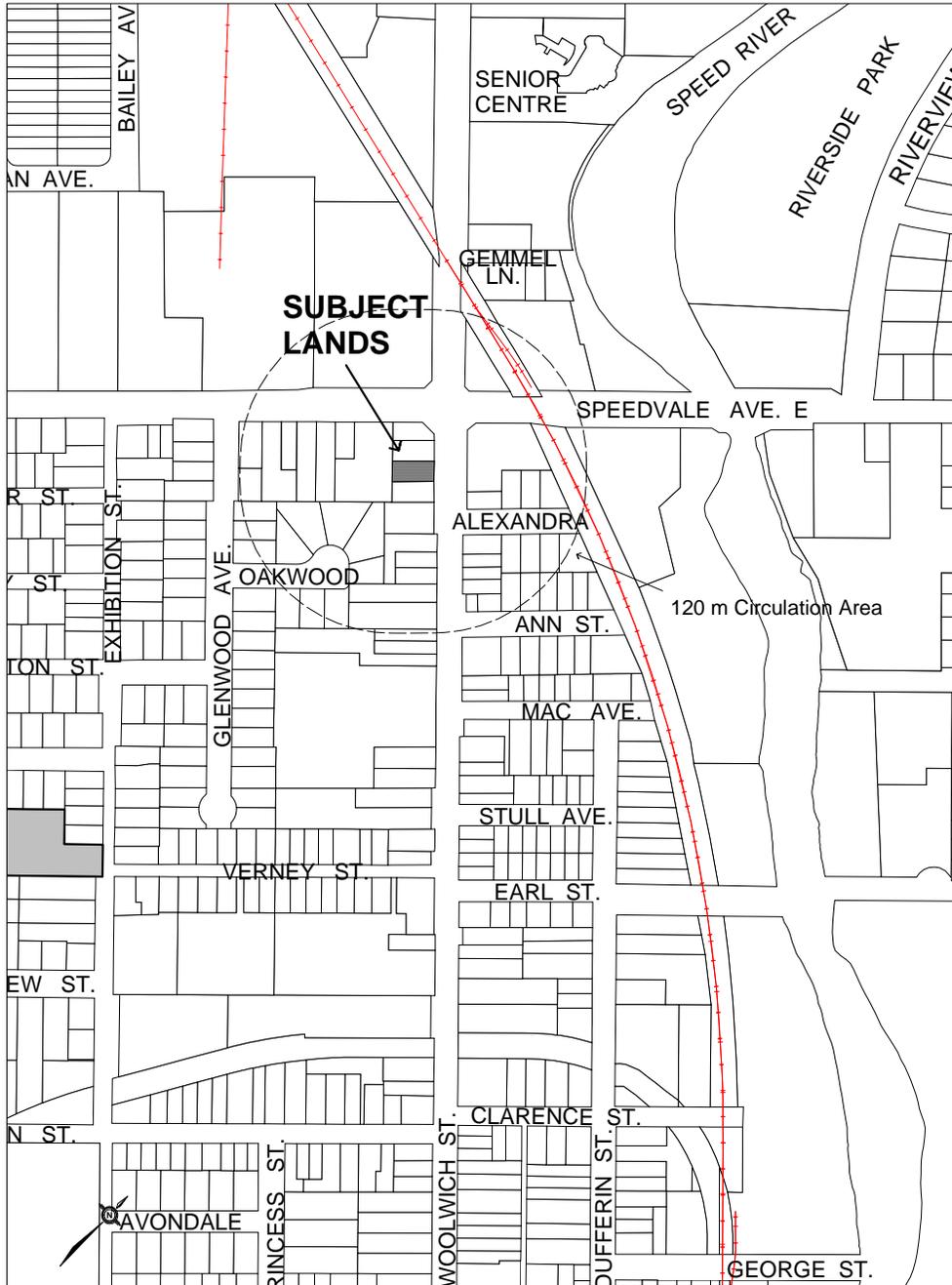
Recommended By:
R. Scott Hannah
Manager of Development Planning

Recommended By:
James N. Riddell
Director of Planning and Development Services

Approved for Presentation:
Larry Kotseff
Chief Administrative Officer

SCHEDULE 1

Location Map



SCHEDULE 2

Regulations and Conditions

The property affected by this zoning amendment is municipally known as 642 Woolwich Street and legally described as Part Lot 2, Plan 245, City of Guelph.

The following zoning is proposed:

Commercial C.1 Zone

Permitted Uses

In accordance with the provisions of Section 6.1.1 of Zoning By-law (1995) – 14864, as amended.

Regulations

In accordance with Section 6.1.2 of Zoning By-law (1995) – 14864, as amended.

Conditions

1. That prior to any change of use of the lands and prior to the issuance of any building permit on the lands, the owner shall have a Professional Engineer design a grading plan and storm water management system for the site, satisfactory to the City Engineer.
2. 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 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.
3. That the owner pays to the City, as determined applicable by the City's Director of Finance, development charges and education development charges, in accordance with City of Guelph Development Charges By-law, as amended from time to time, or any successor thereof, and in accordance with the Education Development Charges By-laws of the Upper Grand District School Board (Wellington County) and the Wellington Catholic District School Board, as amended from time to time,

or any successor by-laws thereof, prior to issuance of a building permit, at the rate in effect at the time of issuance of the building permit.

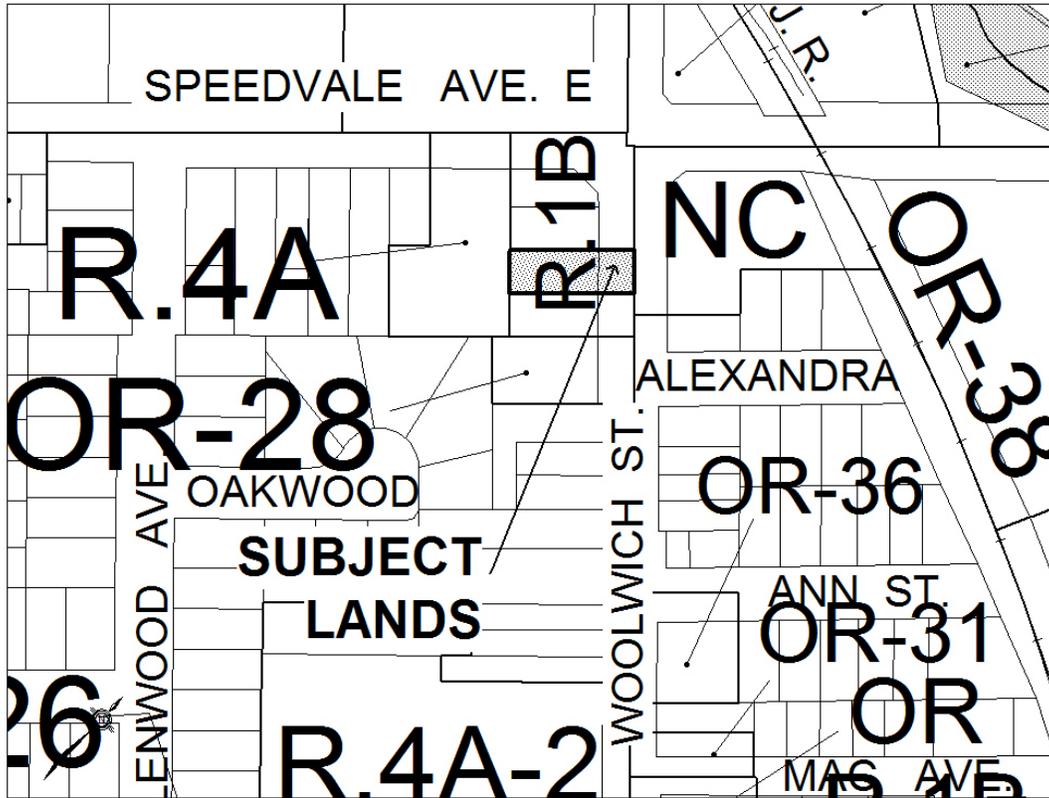
4. The owner shall be responsible for the actual cost of all service laterals required for the lands or upgrades to existing service laterals and furthermore, prior to any change of use of the lands and prior to the issuance of a building permit on the lands the owner shall pay to the City, the City's estimate of the service laterals.
5. The Owner shall submit to the City, in accordance with Section 41 of The Planning Act, a fully detailed site plan including:
 - a) The location and extent of the driveway and legal off-street parking spaces including screening and landscaping, and
 - b) Grading, drainage and servicing information as required by the City Engineer.

All of the above to be submitted to, and approved by the Director of Planning and Development Services, prior to issuance of a building permit for the conversion to a commercial use or prior to the use of the building for commercial purposes whichever occurs first.

6. That prior to any change of use of the subject lands and prior to site plan approval, the owner shall enter into a site plan control agreement with the City, registered on title, satisfactory to the City Solicitor, covering the conditions noted above.

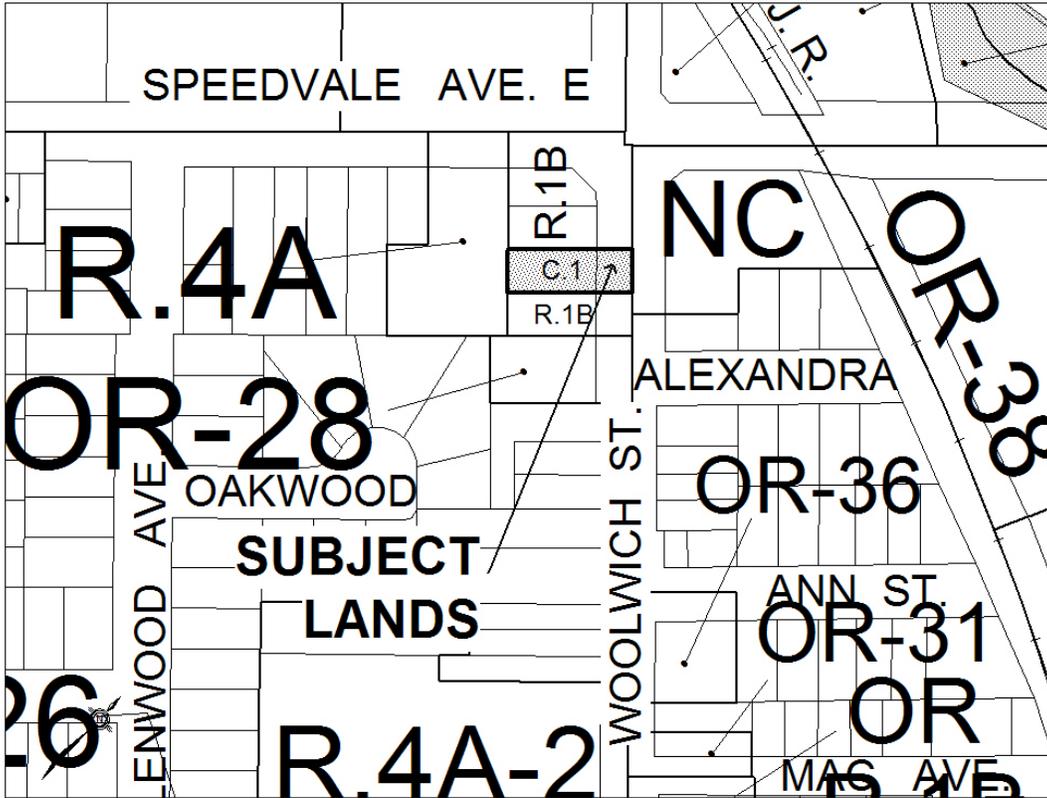
SCHEDULE 3

Existing Zoning



SCHEDULE 4

Proposed Zoning



SCHEDULE 5

Official Plan Policies

Non-Residential Uses in Residential Areas

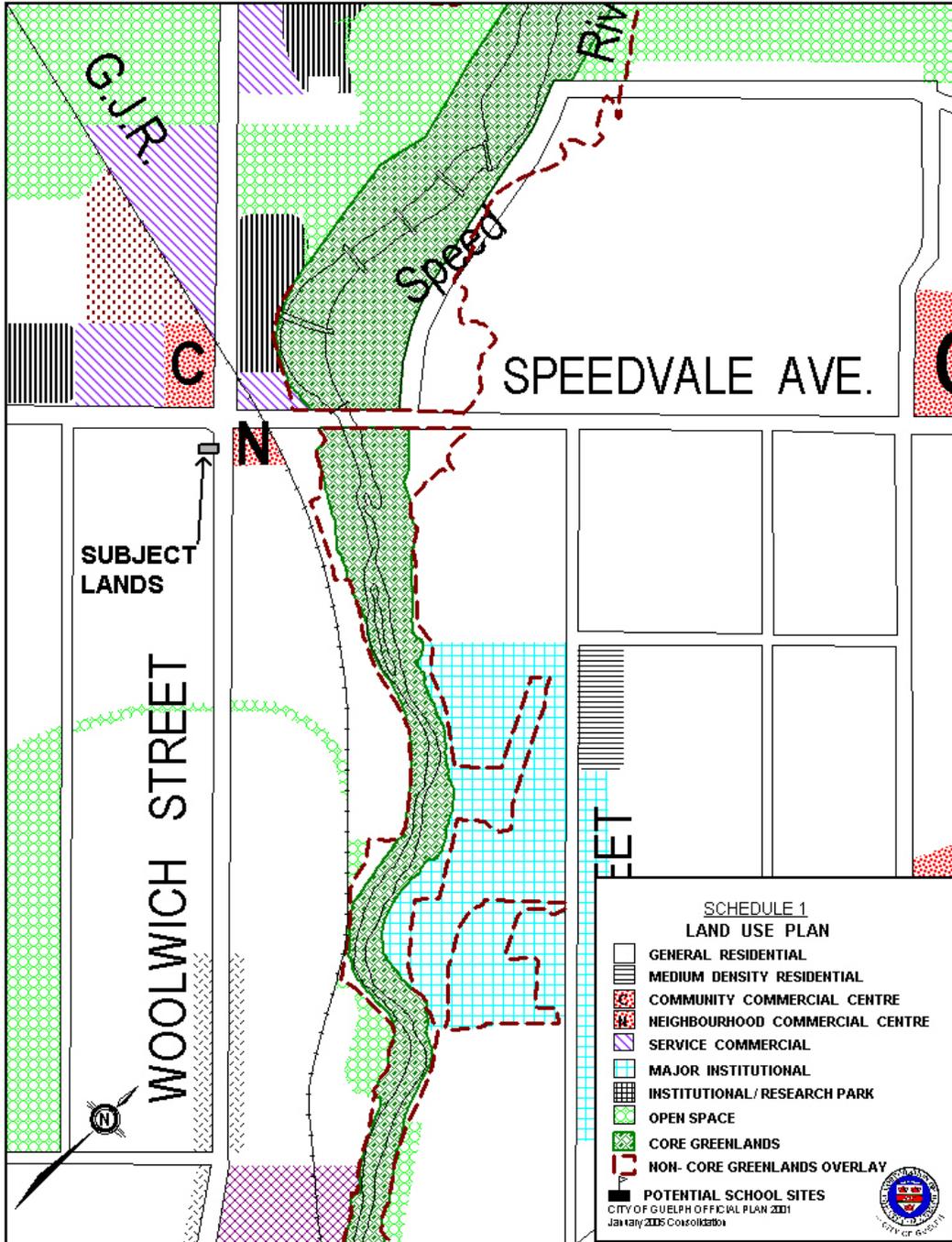
7.2.26 Within designations of this Plan permitting residential uses, a variety of small-scale institutional uses may be permitted that are complementary to, and serve the needs of residential neighbourhoods. Such non-residential uses include: schools, churches, *day care centres*, municipal parklands and recreational facilities. In addition, [convenience commercial](#) uses that provide goods and services primarily to the residents in the surrounding neighbourhood may also be permitted. These convenience uses will be limited by the Plan to a maximum [gross leasable floor area](#) of 300 square metres (3,200 square feet) on a property.

7.2.27 Non-residential uses shall be developed in a manner that is compatible with adjoining residential properties and which preserves the amenities of the residential neighbourhood.

1. In addition to implementing the objectives and policies of subsection 3.6, Urban Design, non-residential uses shall:
 - a) Be located on an arterial or collector road;
 - b) Be located on the property in a manner which minimizes the impact of traffic, noise, signs and lighting on adjoining residential properties;
 - c) Have adequate landscaping and screening to promote compatibility with adjacent activities;
 - d) Have sufficient off-street parking, circulation and access points; and
 - e) Have adequate municipal services.
2. Non-residential uses will be encouraged to concentrate at neighbourhood "nodes".

SCHEDULE 6

Official Plan Designation



SCHEDULE 7

Circulation Comments

<u>RESPONDENT</u>	<u>NO OBJECTION OR COMMENT</u>	<u>CONDITIONAL SUPPORT</u>	<u>ISSUES/CONCERNS</u>
Planning and Development Services		✓	<ul style="list-style-type: none"> • Subject to Schedule 2
Engineering Services		✓	<ul style="list-style-type: none"> • Subject to Schedule 2
Finance		✓	<ul style="list-style-type: none"> • Development Charges
G.R.C.A.	✓		
Community Services (Recreation and Parks)	✓		
Heritage Guelph	✓		
Guelph Development Association	✓		
Economic Development	✓		
Fire Department	✓		
Guelph/Wellington Seniors Association	✓		
Guelph Police Service	✓		
Wellington Dufferin Guelph Public Health	✓		
Wellington Catholic District School Board	✓		
Guelph Chamber of Commerce	✓		
Conseil Scolaire de district Catholique Centre-sud	✓		

SCHEDULE 8

Public Notification Summary

January 11, 2006	Application submitted to the City of Guelph
January 25, 2006	Notice of Application sign erected on the property.
January 27, 2006	Notice of Application mailed to prescribed agencies and surrounding property owners within 120 metres.
April 13, 2006	Notice of Public Meeting mailed to prescribed agencies and surrounding property owners with 120 metres.
May 8, 2006	Public Meeting of City Council.



Report: 06-34

PLANNING & DEVELOPMENT SERVICES

TO: Council

DATE: May 8, 2006

SUBJECT: FURFARO – 26 & 30 Arthur Street South: Proposed Zoning By-law Amendment from the R.1B-10 (Specialized Residential Single Detached) Zone to a Specialized R.2-? (Residential Semi-detached) Zone to recognize the existing semi-detached dwelling.
(File ZC0519) – Ward 1

RECOMMENDATION:

"THAT the application (ZC0519) by Van Harten Surveying on behalf of Violet Furfaro for a Zoning By-law Amendment from the existing R.1B-10 (Specialized Residential Single Detached) Zone to a Specialized R.2-? (Residential Semi-detached) Zone for property known as 26 & 30 Arthur Street and legally described as Lot 34 and Part Lot 35, Plan 161, BE APPROVED in accordance with the regulations set out in SCHEDULE 2 of the Planning Report dated May 8, 2006."

BACKGROUND:

The subject property is occupied by a two-storey semi-detached dwelling built in 1870. The owner intends to apply for a severance to create individual lots for each half of the semi-detached dwelling. A zoning amendment is required to place the property into an appropriate zone that permits a semi-detached dwelling prior to the consideration of a severance. The dwelling is currently a legal non-conforming use.

Location: The subject property is bounded by Arthur Street to the west and Duke Street to the east and is located south of Elizabeth Street and north of the Guelph Junction Railway (see Location Map on **Schedule 1**). The subject site is a through lot with frontage of 19.8 metres along Arthur Street South and an area of 706.4 square metres. The subject property and existing semi-detached dwelling are shown on the plan attached in **Schedule 2**.

Official Plan Designation: The subject property is designated “General Residential” in the City of Guelph Official Plan.

Existing Zoning: The subject property is zoned R.1B-10 (Specialized Residential Single Detached) in the Zoning By-law.

The following uses are permitted in the R.1B-10 Zone:

- Single Detached Dwelling
- Accessory Apartment
- Bed and Breakfast
- Day Care Centre
- Group Home
- Home Occupation
- Lodging House

REPORT:

Description of Proposed Zoning By-law Amendment

The proposal is to amend the zoning from the current R.1B-10 (Specialized Residential Single Detached) Zone to a Specialized R.2-? (Residential Semi-detached) Zone to recognize the existing two storey semi-detached dwelling. The current R.1B-10 Zone does not permit a semi-detached dwelling. Specialized zoning regulations from the standard R.2 Zone are being requested to recognize the existing front yard and side yard setbacks. The required front yard setback would be based on the block face average for the existing dwellings within this block, which is estimated at 1 metre. The minimum side yard setback requirement in the R.2 Zone is 1.2 metres. A front yard setback of 0 metres and minimum side yard setbacks of 0.83 metres and 0.87 metres are being requested to recognize the location of the existing dwelling.

Planning Analysis

Planning and Development Services recommends approval of this application in accordance with the regulations outlined in **Schedule 2**. This application simply seeks to recognize a long-standing residential use under the Zoning By-law. The specialized zoning regulations in **Schedule 2** recognize the existing front and side yard setbacks for the existing dwelling.

No conditions of approval are required for this zoning amendment application, but conditions of approval will be imposed on the subsequent severance application (see **Schedule 3**). The conditions relate to off-street parking, the need for an encroachment agreement and providing the necessary certification that the plumbing inside each unit is independent of the plumbing in the other unit.

Off-street parking for both units is currently provided in the rear yard of 26 Arthur Street South, with access to the parking area from Duke Street. Currently there is

no off-street parking space provided at 30 Arthur Street South. The provision of one off-street parking space at 30 Arthur Street South is recommended as a condition of approval for the subsequent severance application. There is sufficient space on each property to accommodate the one parking space per unit that is required under the standard R.2 zoning regulations. Also, since the existing semi-detached dwelling encroaches onto Arthur Street by approximately 1.5 metres, a recommended condition of consent is included in **Schedule 3** requiring the owner to enter into an encroachment agreement to address this existing situation.

There were no objections raised by the public during the circulation of this application.

CORPORATE STRATEGIC PLAN:

The application supports Strategic Direction #1: The management of growth in a balanced and sustainable manner.

FINANCIAL IMPLICATIONS:

There are no financial implications.

DEPARTMENTAL CONSULTATION/CONCURRENCE:

There were no objections or concerns received through the circulation of this zone change application. The comments received are included in **Schedule 6**.

ATTACHMENTS:

- Schedule 1** – Location Map
- Schedule 2** – Regulations
- Schedule 3** – Draft Conditions of Consent
- Schedule 4** – Survey Sketch
- Schedule 5** – Public Notification
- Schedule 6** – Circulation Comments

Prepared By:
Chris DeVriendt
Senior Development Planner
(519) 837-5616 ext. 2360
chris.devriendt@guelph.ca

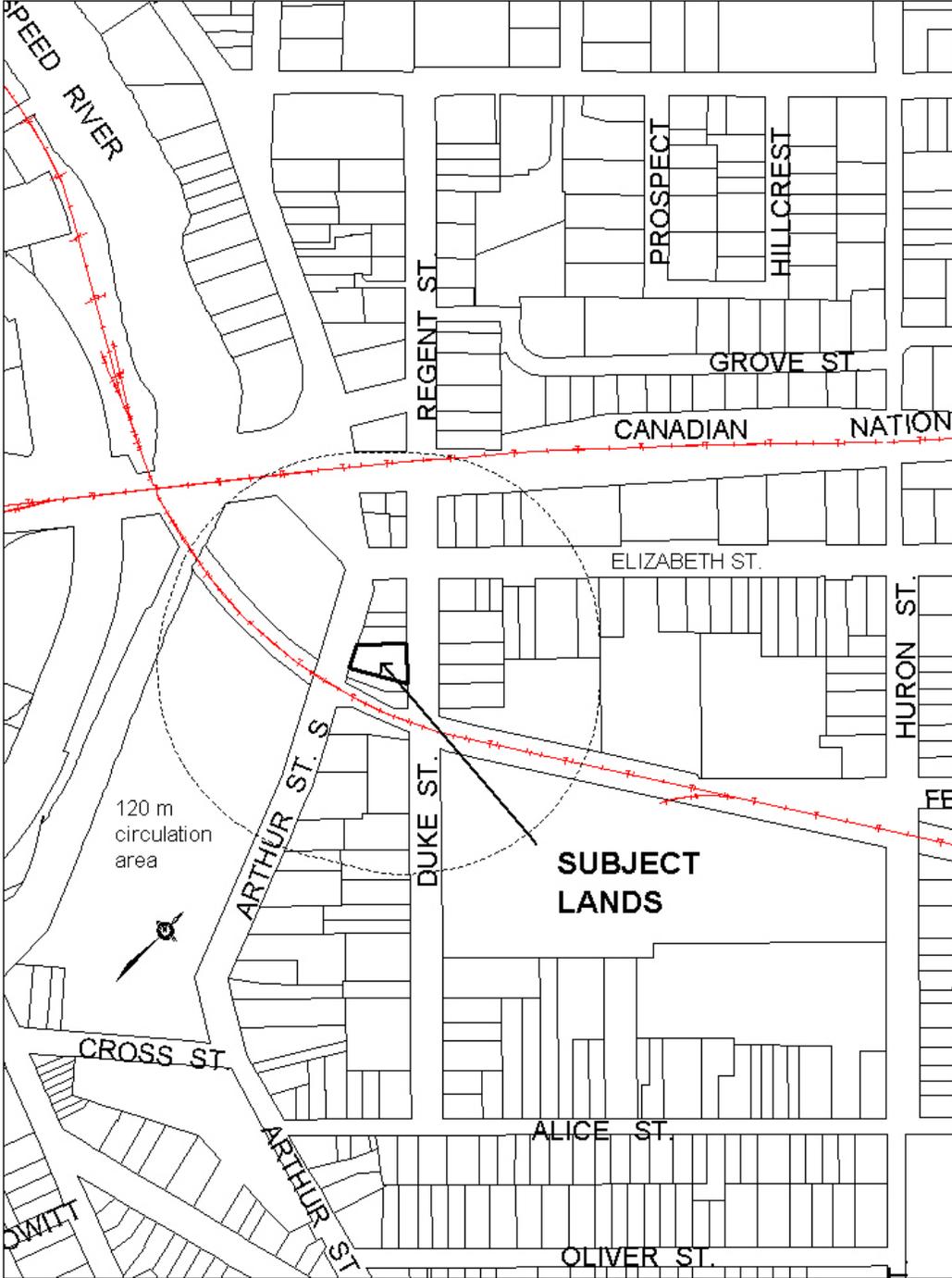
Recommended By:
R. Scott Hannah
Manager of Development
Planning
(519) 837-5616 ext. 2359
scott.hannah@guelph.ca

Recommended By:
Jim Riddell
Director of Planning
and Development Services
(519) 837-5616 ext. 2361
jim.riddell@guelph.ca

Approved for Presentation:
Larry Kotseff
Chief Administrative Officer

SCHEDULE 1

LOCATION MAP



SCHEDULE 2

REGULATIONS

"THAT the application by Van Harten Suveying Inc. on behalf of Violet Furfaro for a Zoning By-law Amendment from the existing R.1B-10 (Specialized Residential Single Detached) Zone to a Specialized R.2-? (Residential Semi-detached) Zone for property known as 26 & 30 Arthur Street and legally described as Lot 34 and Part Lot 35, Plan 161, BE APPROVED in accordance with the following Regulations:

Regulations for the Specialized Residential Single Detached R.2-? Zone

R.2-?

26 & 30 Arthur Street South

As shown on Defined Area Map Number 66 of Schedule "A" of this By-law.

Permitted Uses

In accordance with the provisions of Section 5.2.1 of Zoning By-law (1995) – 14864, as amended.

Regulations

In accordance with Section 5.2.2 of Zoning By-law (1995) – 14864, as amended with the following exceptions:

1. Minimum **Front Yard**
Despite Row 5, Table 5.2.2, no minimum **Front Yard** is required.
2. Minimum **Side Yard**
Despite Row 6, Table 5.2.2, the Minimum **Side Yard** shall be 0.83 metres on the north side and 0.87 metres on the south side.

SCHEDULE 3

DRAFT Condition of Consent

(provided for information to City Council)

1. That prior to any severance of the property, a 3 metre by 6 metre parking space be created on lands associated with 30 Arthur Street South together with a driveway to Duke Street. The owner shall submit a parking plan outlining the location and extent of driveway and legal off-street parking spaces for each individual unit at 26 Arthur Street South and 30 Arthur Street South.

The above to be submitted to and approved by the Director of Planning and Development Services prior to the endorsement of the deeds.

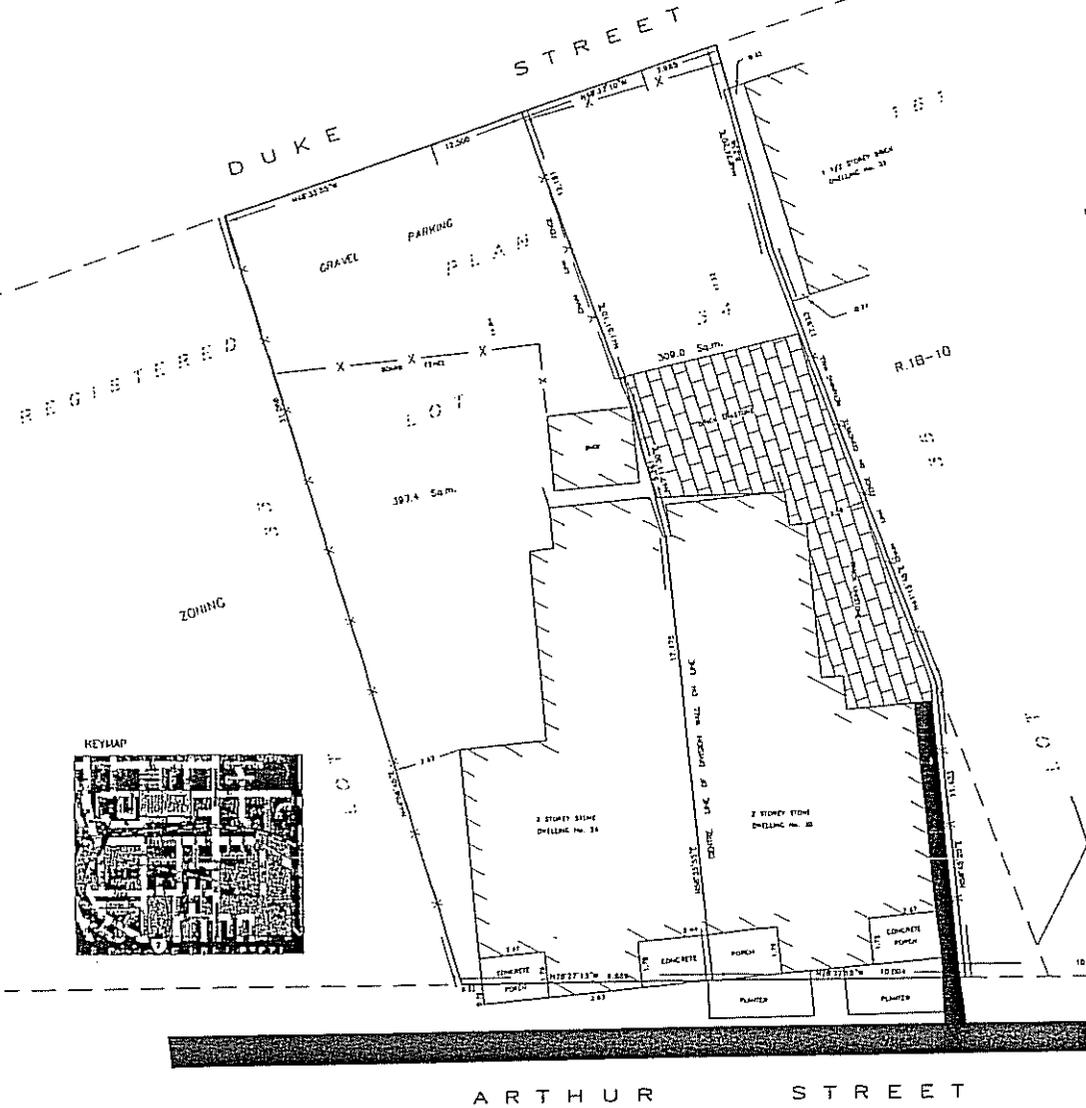
2. That prior to any severance of the property, the owner shall enter into an encroachment agreement for the portion of the building and porch that encroaches onto Arthur Street.
3. That prior to the severance of the property, the owner shall have a Master Plumber certify in writing that the plumbing inside each unit is separate from and independent of the plumbing in the other unit.

SCHEDULE 4

SURVEY SKETCH

ZONING AMENDMENT PLAN
 PART OF LOT 34
 REGISTERED PLAN 161
 CITY OF GUELPH
 COUNTY OF WELLINGTON

SCALE 1 : 100
 VAN HARTEN SURVEYING INC.



SURVEYOR'S CERTIFICATE

I CERTIFY THAT:
 1. THE SURVEY WAS COMPLETED ON THE 12th DAY OF OCTOBER 2005
 DATE: OCTOBER 8, 2005
 JAMES M. LAWS
 CHARTERED LAND SURVEYOR



- NOTES:
1. THIS IS NOT A PLAN OF SURVEY
 2. ALL LANCES ARE ZONED R-1B-10
 3. LANCES HAVE AN OFFICIAL PLAN DESIGNATION OF CENTRAL RESIDENTIAL
 4. LANCES TO BE AMENDED "R-10"

Van Harten SURVEYING INC. LAND SURVEYORS and ENGINEERS	
423 WOODBINE STREET GUELPH ONTARIO N1H 2L1 PHONE: (519) 271-3711 FAX: (519) 271-3778 WWW.VANHARTEN.COM	580 BURGESS ROAD, SUITE 1 GERRYSTOWN ONTARIO, L0R 2S3 PHONE: (519) 840-4110 FAX: (519) 840-4113 WWW.VANHARTEN.COM
DESIGN BY: JML DATE: 08.2005-5:29pm E:\Guelph\161\Acad\54\0134.dwg	PROJECT NO. 11188-03

SCHEDULE 5

PUBLIC NOTIFICATION

December 9, 2006	Application received by the City of Guelph.
January 18, 2006	Notice of Application sign erected on the property.
January 20, 2006	Notice of Application mailed to prescribed agencies and property owners within 120 metres of subject property.
April 17, 2006	Notice of Public Meeting circulated.
May 8, 2006	Public Meeting of City Council.

SCHEDULE 6

CIRCULATION COMMENTS

<u>RESPONDENT</u>	<u>NO OBJECTION OR COMMENT</u>	<u>CONDITIONAL SUPPORT</u>	<u>ISSUES/CONCERNS</u>
Planning and Development Services		✓	<ul style="list-style-type: none"> Support proposal subject to regulations outlined in Schedule 2
City Engineer		✓	<ul style="list-style-type: none"> Support proposal subject to conditions outlined in Schedule 3 (see attached letter)
Community Services	✓		
G.R.C.A.	✓		<ul style="list-style-type: none"> See attached letter
Heritage Guelph	✓		
Guelph Field Naturalists	✓		
Guelph Development Association			<ul style="list-style-type: none"> Support proposal
Finance		✓	<ul style="list-style-type: none"> Development charges
Fire	✓		
Police	✓		
Health Unit	✓		
Upper Grand School District	✓		
Wellington Catholic School Board	✓		