



**Minutes of Guelph City Council
Held in the Council Chambers, Guelph City Hall on
Monday, February 8, 2016 at 5:00 p.m.**

Attendance

Council:	Mayor C. Guthrie Councillor B. Bell Councillor C. Billings Councillor C. Downer Councillor J. Gordon	Councillor J. Hofland Councillor M. MacKinnon Councillor L. Piper Councillor K. Wettstein
Absent:	Councillor P. Allt Councillor D. Gibson	Councillor M. Salisbury Councillor A. Van Hellemond
Staff:	Ms. T. Agnello, Deputy Clerk Ms. D. Black, Council Committee Coordinator	

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

Mayor Guthrie called the meeting to order.

Authority to Resolve into a Closed Meeting of Council

1. Moved by Councillor Bell
Seconded by Councillor Gordon

That the Council of the City of Guelph now hold a meeting that is closed to the public, pursuant to Section 239 (2)(a), (b) and (f) of *The Municipal Act*, with respect to security of the property, personal matters about an identifiable individual and advice that is subject to solicitor-client privilege including communications necessary for that purpose.

CARRIED

Closed Meeting (5:02 p.m.)

Disclosure of Pecuniary Interest and General Nature Thereof

There were no disclosures.

The following matter was considered:

C-2016.5 January 21st Correspondence Follow-Up

Rise and recess from Closed Meeting (7:06 p.m.)

Open Meeting (7:15 p.m.)

Attendance

Council: Mayor C. Guthrie
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 K. Wettstein

Absent: Councillor P. Allt
Councillor A. Van Hellemond

Staff: Mr. S. Stewart, Deputy CAO, Infrastructure, Development & Enterprise
Mr. T. Salter, General Manager, Planning, Urban Design & Building
Services
Ms. S. Kirkwood, Manager of Development Planning
Ms. T. Agnello, Deputy Clerk
Ms. D. Black, Council Committee Coordinator

Mayor Guthrie called the meeting to order.

Closed Meeting Summary

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

C-2016.5 January 21st Correspondence Follow-Up

Staff was given direction regarding the January 21st Correspondence Follow-up.

C-2016.6 New GMHI Board Progress Report

Council will reconvene in closed session to address this item.

Disclosure of Pecuniary Interest and General Nature Thereof

Councillor Hofland declared a pecuniary interest regarding 287 Waterloo Avenue Proposed Zoning By-law Amendment because she owns property in the vicinity and she did not speak or vote on the matter.

Presentation

The Mayor congratulated and thanked Carl Visser of Rogers TV for 30 years of volunteer service covering council meetings.

Consent

The following items were extracted from the February 8, 2016 Consent Agenda to be voted on separately:

CON-2016.2 1511-1517 Gordon Street and 15 Lowes Road Proposed Official Plan Amendment and Zoning By-Law Amendment (File: OP1402/ZC1408) - Ward 6

CON-2016.3 139 Morris Street Proposed Zoning By-Law Amendment (File: ZC1110) - Ward 1

2. Moved by Councillor Hofland
Seconded by Councillor Salisbury

That the balance of the February 8, 2015 Council Consent Agenda identified as follows be adopted:

CON-2016.4 Proposed Demolition of 176 York Road - Ward 1

1. That Report 16-02 regarding the proposed demolition of one (1) single detached dwelling at 176 York Road, legally described as Plan 113, Pt. Lot 56; City of Guelph, from Infrastructure, Development and Enterprise dated February 8, 2016, be received.
2. That the proposed demolition of one (1) detached dwelling at 176 York Road be approved.
3. That the applicant be requested to prepare and submit a Tree Preservation Plan in accordance with the City of Guelph Official Plan (Urban Forest policies) prior to undertaking activities which may injure or destroy trees.
4. That the applicant be requested to erect protective fencing at one (1) meter from the drip line of any existing trees to be retained on the property or on adjacent properties, which may be impacted by demolition or construction activities.
5. That the applicant be requested to contact the City's Environmental Planner to inspect the tree protection fence prior to demolition and/or site alteration commencing.
6. That if demolition is to occur during breeding bird season (approximately May 1 to July 31), a nest search be undertaken by a wildlife biologist prior to demolition so as to protect the breeding birds in accordance with the Migratory Birds Convention Act (MBCA) prior to any works occurring.
7. That the applicant be requested to contact the Plant Manager of Solid Waste Resources, within Infrastructure, Development and Enterprise regarding options for the salvage or recycling of all demolition materials.

CON-2016.5 Proposed Demolition of 115 Dawn Avenue – Ward 6

1. That Report 16-08 regarding the proposed demolition of one (1) single detached dwelling at 115 Dawn Avenue, legally described as Plan 555, Lot 4 Pt. Lot 1 Pt. Lot 5; City of Guelph, from Infrastructure, Development and Enterprise dated February 8, 2016, is received.

2. That the proposed demolition of one (1) detached dwelling at 115 Dawn Avenue be approved.
3. That the applicant prepare and submit a Tree Preservation Plan in accordance with the Private Tree Protection By-law (2010)-19058 prior to undertaking activities which may injure or destroy regulated trees.
4. That the applicant be requested to erect protective fencing at one (1) meter from the dripline of any existing trees to be retained on the property or on adjacent properties which may be impacted by demolition and associated activities.
5. That the applicant contact the City's Environmental Planner to inspect the tree protection fence prior to commencement of demolition and/or site alteration.
6. That if demolition is to occur during breeding bird season (approximately May 1 to July 31), a nest search be undertaken by a wildlife biologist prior to demolition so as to protect the breeding birds in accordance with the Migratory Birds Convention Act (MBCA) prior to any works occurring.
7. That the applicant be requested to contact the Plant 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 Bell, Billings, Downer, Gibson, Gordon, Hofland, MacKinnon, Piper, Salisbury and Wettstein (11)

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.

492 Michener Road Proposed Zoning By-law Amendment (File: ZC1514) – Ward 4

Tim Donegani, Development Planner advised the applicant is requesting to rezone the property from the "Specialized Highway Service Commercial" (SC.2-1) Zone to the "Highway Service Commercial" (SC.2) Zone to permit a broader range of uses for potential buyers.

Ms. Astrid Clos, on behalf of the applicant advised the current zoning would not permit the property to be used as a banquet hall as it has been and they want to expand uses to increase options for potential buyers.

3. Moved by Councillor Billings
Seconded by Councillor Hofland

That Report 16-01 regarding a proposed Zoning By-law Amendment application (File: ZC1514) submitted by Astrid J. Clos Planning Consultants on behalf of Four Woods Group Inc. to allow a broader range of service commercial uses on the property municipally known as 492 Michener Road, and legal described as Part of Lot 6, Registered Plan 661, Part 2 of Reference Plan 1403, City of Guelph, from Infrastructure, Development and Enterprise dated February 8, 2016, be received.

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

VOTING AGAINST: (0)

CARRIED

**287 Waterloo Avenue Proposed Zoning By-law Amendment (File: ZC1511)
- Ward 3**

Councillor Hofland left the room and did not speak or vote on the matter.

Michael Witmer, Development Planner II, advised the applicant is requesting from R.1B (Residential Single Detached) Zone to a specialized Office Residential (OR-36) Zone because they intend to establish a medical office in the existing two storey dwelling with a maximum of one medical practitioner. They plan to maintain the existing driveway off Waterloo Avenue and establish a parking lot to the rear of the dwelling.

Astrid Clos, on behalf of the applicant advised they do not propose to change the exterior of the building. She made note of similar zoning on surrounding properties and advised that City staff have stated that traffic impacts would be negligible and no formal traffic study is required.

Jane Watson, owner, addressed concerns received to date regarding construction, privacy issues, maintaining the gardens and shrubs, process issues and traffic. She advised they delivered a letter of introduction to the neighbourhood with their direct contact information and received one response that was a welcome to the neighbourhood. She stated they would be willing to accept stricter zoning to assure everyone the use of the property would be limited to one practitioner.

Discussion by Council ensued regarding lighting, signage, clarifying existing uses and current zoning further along Waterloo Avenue and traffic considerations. The feasibility of preventing a larger commercial building by merging with the property next door was discussed. The issue of medical waste management was also raised.

Lynn Meihm, family member of the property next door, advised that they have no intention to change the use their property from residential. She raised concerns regarding lighting, hedge maintenance and privacy. She also noted the potential of issues relating to storage of drugs on the property.

Logan Kennedy, neighbourhood resident, stated that even negligible traffic would be noticeable in the neighbourhood and would like traffic concerns to be addressed.

4. Moved by Councillor Piper
Seconded by Councillor Bell

That Report 16-03 regarding a Zoning By-law Amendment application (File ZC1511) by Astrid J. Clos Planning Consultants (on behalf of Butterscotch Ltd.) to change the zoning from the current Single Detached Residential (R.1B) Zone to a specialized Office Residential (OR-36) Zone at 287 Waterloo Avenue, legally described as Lot 1, Registered Plan 262, City of Guelph, County of Wellington from Infrastructure, Development and Enterprise dated February 8, 2016 be received.

VOTING IN FAVOUR: Mayor Guthrie, Councillors Bell, Billings, Downer, Gibson, Gordon, MacKinnon, Piper, Salisbury and Wettstein (10)

VOTING AGAINST: (0)

CARRIED

55 and 75 Cityview Drive North Proposed Modification to Draft Plan 23T-12501 and Zoning By-law Amendment (File: ZC1512)

Chris DeVriendt, Senior Development Planner advised the applicant is requesting to modify the Draft Plan of Subdivision to increase the number of single detached dwellings, reduce the semi-detached lots, reduce the size of the multiple residential block (Block 130), and reduce the size of Park Block 133 from 0.51 ha to 0.47 ha. He noted the zoning modifications reflect the required adjustments to accommodate the modifications to the Draft Plan of Subdivision. He stated the same road pattern and limits of development will be maintained.

Discussion ensued regarding parking and traffic concerns, and clarifying the park sizes and placement.

Hugh Handy, GSP Group, provided a history of the application. He showed how the previous OMB appeal was resolved and highlighted parks and trails within the subdivision.

Hugh Whiteley, appellant of the previous application was present in favour of the newly-proposed changes. He highlighted the importance of the trail connections and parks within the proposal and stated he is happy with the proposal.

5. Moved by Councillor Bell
Seconded by Councillor Gibson

That Report 16-05 regarding proposed modifications to Draft Plan of Subdivision 23T-12501 and an associated Zoning By-law Amendment application (File: ZC1512) submitted by GSP Group Inc. to permit modifications to the lot and block layout within the plan on the property municipally known 55 and 75 Cityview Drive and legally described as Parts of Lots 25, 31 and 32, Registered Plan 53 and Part of Lot 4, Concession 3, Division "C", City of Guelph, from Infrastructure, Development and Enterprise dated February 8, 2016, be received.

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

VOTING AGAINST: (0)

CARRIED

**Blocks 221-223, Registered Plan 61M-18 (Silurian Drive / Starwood Drive)
Proposed Zoning By-law Amendment (File: ZC1513) - Ward 1**

Chris DeVriendt, Senior Development Planner advised the applicant is requesting the Zoning By-law Amendment to rezone the subject lands from the current UR (Urban Reserve) Zone to the R.2-6 (Residential Semi-Detached/Duplex) Zone to permit the development of nine single detached dwellings and one semi-detached dwelling. He noted the subject lands would be consolidated with Blocks 137, 138 and 139 within the adjacent draft plan of subdivision.

Hugh Handy, GSP Group was present in support of the application.

6. Moved by Councillor Bell
Seconded by Councillor Billings

That Report 16-06 regarding a Zoning By-law Amendment application (File: ZC1513) submitted by GSP Group Inc. to rezone Future Development Blocks 221, 222 and 223 within Registered Plan 61M-18 from the UR (Urban Reserve) Zone to the R.2-6 (Residential Semi-Detached/Duplex) Zone to facilitate the development of nine single detached dwellings and one semi-detached dwelling in consolidation with adjoining blocks within Draft Plan of Subdivision 23T-12501, from Infrastructure, Development and Enterprise dated February 8, 2016, be received.

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

VOTING AGAINST: (0)

CARRIED

Extracted Items

**CON-2016.2 1511-1517 Gordon Street and 15 Lowes Road Proposed
Official Plan Amendment and Zoning By-Law Amendment
(File: OP1402/ZC1408) - Ward 6**

Michael Witmer, Development Planner II, advised that the Holding Symbol that was originally proposed is no longer required so the conditions have been updated to reflect the removal of the Holding Symbol requirements.

Discussion ensued regarding continuation of the sidewalk further down Lowes to Dawn, signage and lighting and if space would allow for mobile signs.

Lighting concerns have been noted for the Site Plan process and the compensation planting at 375 Southgate Drive was clarified.

7. Moved by Councillor Billings
Seconded by Councillor Hofland

1. That the application submitted by Astrid J. Clos Planning Consultants on behalf of 2320339 Ontario Inc. for an Official Plan Amendment to change the land use designation from "General Residential" to "Commercial Mixed Use" to permit the

development of a mixed office/commercial development on the properties municipally known as 1511-1517 Gordon Street and 15 Lowes Road, and legally described as Lots 1 and 2, Registered Plan 508, more particularly described as Parts 1, 2 and 3, Reference Plan 61R-20695, City of Guelph be approved in accordance with Schedule 1 attached hereto.

2. That the Development Agreement outlining Engineering and Financial Obligations between The Corporation City of Guelph and 2320339 Ontario Inc., and Binbrook Holdings Limited be executed by the Mayor and Clerk.
3. That the application submitted by Astrid J. Clos Planning Consultants on behalf of 2320339 Ontario Inc. for approval of a Zoning By-law Amendment to change the zoning from the "Residential Single Detached" (R.1B) Zone to the specialized "Commercial Residential" (CR-14) Zone to permit the development of a mixed office/commercial development on the properties municipally known as 1511-1517 Gordon Street and 15 Lowes Road, legally described as Lots 1 and 2, Registered Plan 508, more particularly described as Parts 1, 2 and 3, Reference Plan 61R-20695, City of Guelph be approved in accordance with the conditions and zoning regulations contained in Schedule 1 attached hereto.
4. 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 the properties municipally known as 1511-1517 Gordon Street and 15 Lowes Road as set out in Infrastructure, Development and Enterprise Report 16-04 dated February 8, 2016, as amended.

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

VOTING AGAINST: (0)

CARRIED

**CON-2016.3 139 Morris Street Proposed Zoning By-Law Amendment
(File: ZC1110) - Ward 1**

Susan Stauffer, a neighbourhood resident, raised safety concerns for pedestrians – particularly children, due to the lack of sidewalks and the increase of traffic and parking demands the townhouses would create. She requested a four-way stop and four-way flashing red light at the Harris and Johnston intersections.

Susan Stauffer read Michael Brodie's comments, in his absence. He raised the concerns of overflow parking and traffic on surrounding streets – particularly during winter months. He requested parking on Harris Street be changed to one-sided overnight parking.

Bruce Bennett, on behalf of Guelph Little Theatre, raised the issues of parking, signage and visibility of the theatre from York Road and the impacts of all the recent area construction. He requested parking be instituted on the east side of Morris Street to compensate for loss of parking on the former Biltmore Hats property and increased need for visitors to the proposed townhouses. He advised that the larger setbacks would not be enough to prevent the building from blocking their site lines.

Nancy Shoemaker, on behalf of the applicant, advised the development would permit twenty on-street townhouses facing Morris Street and a 42 unit, 3-storey apartment building facing York Road and believes the development complies with legislation and City policies and makes the best use of the property. She advised that noise issues from Owens-Corning and Transport Canada setbacks to rail lines and spur lines are being addressed through Holding symbols. She also addressed heritage concerns.

Discussion ensued regarding parking and traffic concerns, Holding provisions and installation of the sewer laterals.

8. Moved by Councillor Gibson
Seconded by Councillor Bell

1. That the application submitted by Ray Ferraro on behalf of the Owner, 139 Morris Street Limited for approval of a Zoning By-law Amendment to change the zoning from "Specialized Industrial" (B.4-21) to a "Specialized Residential Townhouse with Holding Provisions" (R.3B-22(H)) Zone and a "Specialized Residential Apartment with Holding Provisions" (R.4D-9(H)) Zone to permit the development of 20 on-street townhouse units and a 3-storey, 42 unit apartment building on the property municipally known as 139 Morris Street, legally described as Factory Lot Plan 322 and Lots 21 to 30, Plan 322, all designated as Part 1, Reference Plan 61R-2664, be approved in accordance with the conditions and zoning regulations outlined in Schedule 2 attached hereto.
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 the subject lands.

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

VOTING AGAINST: (0)

CARRIED

9. Moved by Councillor Bell
Seconded by Councillor Gibson

That parking and traffic surrounding 139 Morris Street be followed up one year after the development is completed.

Amendment

10. Moved by Councillor Gordon
Seconded by Councillor Bell

That the word "approximately" be added to the resolution regarding parking and traffic surrounding 139 Morris Street follow up.

VOTING IN FAVOUR: Mayor Guthrie, Councillors Bell, Billings, Downer, Gibson, Gordon, Hofland, Piper, Salisbury and Wettstein (10)

VOTING AGAINST: Councillor MacKinnon (1)

CARRIED

Main Motion as Amended

11. Moved by Councillor Bell
Seconded by Councillor Gibson

That parking and traffic surrounding 139 Morris Street be followed up **approximately** one year after the development is completed.

VOTING IN FAVOUR: Mayor Guthrie, Councillors Bell, Billings, Downer, Gibson, Gordon, Hofland, Piper, and Salisbury (9)

VOTING AGAINST: Councillor MacKinnon and Wettstein (2)

CARRIED

By-laws

11. Moved by Councillor Salisbury
Seconded by Councillor Bell

That By-laws Numbered (2016) - 20009 to (2016) - 20016, inclusive, are hereby passed.

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

VOTING AGAINST: (0)

CARRIED

Mayor's Announcements

There will be a Ward One Town Hall meeting at the Italian Canadian Club, 135 Ferguson Street, on Wednesday, February 10th at 6:30 p.m.

Authority to Resolve into a Closed Meeting of Council (9:21 p.m.)

1. Moved by Councillor Salisbury
Seconded by Councillor Hofland

That the Council of the City of Guelph now hold a meeting that is closed to the public, pursuant to Section 239 (2)(a), (b) and (f) of The Municipal Act, with respect to security of the property, personal matters about an identifiable individual and advice that is subject to solicitor-client privilege including communications necessary for that purpose.

CARRIED

Closed Meeting (9:25 p.m.)

The following matter was considered:

C-2016.6 New GMHI Board Progress Report

Rise and recess from Closed Meeting (11:27 p.m.)

Open Meeting (11:29 p.m.)

Attendance

Council:	Mayor C. Guthrie	Councillor J. Gordon
	Councillor B. Bell	Councillor J. Hofland
	Councillor C. Billings	Councillor M. MacKinnon
	Councillor D. Gibson	

Absent:	Councillor P. Allt	Councillor M. Salisbury
	Councillor C. Downer	Councillor A. Van Hellemond
	Councillor L. Piper	Councillor K. Wettstein

Staff: Mr. S. O'Brien, City Clerk

Mayor Guthrie called the meeting to order.

Closed Meeting Summary

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

C-2016.6 New GMHI Board Progress Report

Staff was given direction regarding the New GMHI Board Progress Report.

Adjournment (11:33 p.m.)

13. Moved by Councillor Bell
Seconded by Councillor Gibson

That the meeting be adjourned.

CARRIED

Minutes to be confirmed on March 21, 2016.

Mayor Guthrie

Tina Agnello, Deputy Clerk

1511-1517 Gordon Street and 15 Lowes Road
Proposed Official Plan Amendment and Zoning By-law Amendment
(File: OP1402/ZC1408)
Recommended Conditions and Zoning Regulations

PART A: PROPOSED CONDITIONS:

The following conditions are provided as information to Council and will be imposed through a development agreement and/or site plan approval with the City, registered on title for the subject lands.

1. That the Owner/Developer shall submit to the City, in accordance with Section 41 of the *Planning Act*, a fully detailed **site plan**, indicating the location of the building, elevations and building design, landscaping, parking, traffic circulation, access, lighting, grading and drainage on the said lands to the satisfaction of the General Manager of Planning, Urban Design and Building Services and the General Manager/City Engineer, prior to any construction or grading on the lands.
2. That the Owner/Developer acknowledges and agrees that the suitability of the land for the proposed uses is the responsibility of the landowner. Further, the Owner/Developer shall retain a Qualified Person as defined in Ontario Regulation 153/04 to prepare and submit a **Phase One Environmental Site Assessment** and any other subsequent phases required, in accordance with Ontario Regulation 153/04, to assess any real property 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 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/Developer shall:
 - a) submit all environmental assessment reports prepared in accordance with the **Record of Site Condition** (RSC) (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 or Site Specific Standards of the intended land use;
 - c) **file RSC** on the Provincial Environmental Registry for lands to be developed.
4. That prior to site plan approval and prior to any construction or grading on the lands, the Owner/Developer shall provide to the City, to the satisfaction of the General Manager/City Engineer, any of the following **studies, plans and reports** that may be requested by the General Manager/City Engineer:

- i) 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;
 - ii) 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;
 - iii) a **grading, drainage and servicing plan** prepared by a Professional Engineer for the site;
 - iv) 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.
5. That the Owner/Developer 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 4 i) to 4 iv) inclusive.
 6. That prior to Site Plan approval, the Owner/Developer must pay proportionate costs associated with construction of a continuous **centre turning lane** on Gordon Street.
 7. That the Owner/Developer shall pay to the City, their share of the actual cost of constructing a **sidewalk on the north side of Lowes Road** across the frontage of the subject lands. Furthermore, prior to site plan approval and prior to any construction or grading on the lands, the Owner/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 sidewalk.
 8. That the Owner/Developer 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/Developer shall pay to the City, the estimated cost as determined by the General Manager/City Engineer of any service laterals.
 9. That the Owner/Developer shall pay to the City, their share of the actual **cost of constructing the sanitary sewer**, including the provision of the existing sanitary lateral to property line, on Lowes Road across the frontage of 1517 Gordon Street as determined by the General Manager/City Engineer, prior to site plan approval.
 10. That the Owner/Developer pay the actual cost of **removing or decommissioning** to the satisfaction of the General Manager/City Engineer, any existing sanitary sewers, storm sewers, manhole and/or watermains 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/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.

11. That the Owner/Developer shall pay to the City the actual cost of the **construction of the new driveway entrance** and required curb cut and/or curb fill. Furthermore, prior to site plan approval and prior to any construction or grading on the lands, the Owner/Developer shall pay to the City, the estimated cost as determined by the General Manager/City Engineer of the construction of the new driveway entrance and required curb cut and/or curb fill.
12. That the Owner/Developer shall pay the actual cost of the **removal of the existing driveway entrance** including the asphalt pavement and gravel within the road allowance, the restoration of the boulevard with topsoil and sod including the required curb fill, with the estimated cost of the works as determined by the General Manager/City Engineer being paid, prior to site plan approval and prior to any construction or grading on the lands.
13. That the Owner/Developer constructs, installs and maintains **erosion and sediment control measures**, 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. That the Owner/Developer constructs the new building at such an elevation that the lowest level of the new building can be **serviced with a gravity connection** to the sanitary sewer.
15. That the Owner/Developer 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/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.
16. That the Owner/Developer will ensure that any **existing domestic wells** as well as all boreholes and monitoring wells installed for environmental, hydrogeological or geotechnical investigations are properly decommissioned in accordance with current Ministry of the Environment and Climate Change 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.
17. That the Owner/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.

18. That all **electrical services** to the lands are underground and the Owner/Developer 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. That the Owner/Developer agrees to maintain a minimum 1.5 metre distance between any driveways/entrances and hydro distribution poles, streetlight poles or pad-mounted transformers. Further, any relocations of **hydro infrastructure** will be at the Owner/Developer's sole expense.
20. That the Owner/Developer agrees to reserve a minimum area of 6.5 metres by 5.0 metres for Guelph Hydro to provide a three-phase, **pad-mounted transformer** to service the development.
21. That the Owner/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 site plan approval and prior to any construction or grading on the lands.
22. That the Owner/Developer shall ensure that all **telephone service and cable TV service** on the Lands shall be underground. The Owner/Developer 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. That the Owner/Developer shall pay **cash-in-lieu of parkland** 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.
24. That the Owner/Developer shall provide **compensation plantings** on 375 Southgate Drive in accordance with Drawings TCP-1 and TCP-2 prepared by Aboud and Associates and approved by the General Manager of Planning, Urban Design and Building Services (August 14, 2015).
25. That the developer shall provide **long term protection of the trees** and hedgerows to be retained, as shown on LP-1 Tree Inventory & Preservation Plan submitted by Landplan Collaborative Ltd., (last updated October 5, 2015) through a site plan application under Section 41 of the *Planning Act* for the subject property.
26. That prior to the passing of the Official Plan and Zoning Amendment By-law, the Owner/Developer shall enter into a **development agreement** with the City, registered on title, satisfactory to the City Solicitor and the General Manager/City Engineer, covering the conditions noted above and to develop the site in accordance with the approved plans.

PART B: ZONING REGULATIONS

The property affected by Official Plan Amendment No. 62 and Zoning By-law Amendment No. ZC1408 is municipally known as 1511-1517 Gordon Street and 15 Lowes Road, and is legally described as Lots 1 and 2, Registered Plan 508, more particularly described as Parts 1, 2 and 3, Reference Plan 61R-20695, City of Guelph.

That the Zoning By-law Amendment application be approved and that City Staff be instructed to prepare the necessary amendment to Zoning By-law (1995)-14864, as amended, to transfer the subject lands from the "Residential Single Detached" (R.1B) Zone to the following:

PROPOSED ZONING – "Specialized Commercial Residential" (CR-14)

The following zoning is proposed for the subject property:

"Specialized Commercial Residential" (CR-14)

In accordance with Section 6.1 of Zoning By-law (1995)-14864, as amended.

Permitted Uses

In addition to the permitted uses in Section 6.1 of Zoning By-law (1995)-14864, as amended, the following additional use shall also be permitted:

- Pharmacy;
- Live-Work Units;
- Retail Establishment; and
- Bake Shop.

For the purposes of the CR-14 Zone, the following definitions will apply:

Drive-Through Facility shall mean a use which involves or is designed to encourage a customer to remain in a vehicle while receiving a service, obtaining a product or completing a business transaction. The use shall include vehicular stacking spaces and a serving window, and may include an intercom order box.

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

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

Proposed Zoning Regulations

In accordance with Section 4 (General Provisions) and Section 6.1 and Table 6.6.2, Commercial-Residential (CR) Zone regulations of Zoning By-law (1995)-14864, as amended, with the following exceptions and additions:

- Off-street parking:
 - One (1) space per 24 m² of gross floor area for all permitted commercial uses;

- Not including the blended off-street parking ratio for commercial uses of one (1) space per 24 m² of gross floor area, the required off-street parking for the 'Dwelling Unit' use shall be a minimum of one (1) parking space per 'Dwelling Unit' in accordance with Section 4.15.2.4;
- Not including the blended off-street parking ratio for commercial uses of one (1) space per 24 m² of gross floor area, the required off-street parking for the 'Group Home' use shall be a minimum of one (1) per building plus one (1) for staff in accordance with Section 4.13.4.3.
- Office Uses:
 - That 'Office' uses shall be permitted on the second floor of a building only.
- Dwelling Units:
 - That 'Dwelling Units' shall be permitted on the second floor of a building only.
- Restaurant Uses:
 - That a maximum of one (1) 'Restaurant (take-out)' shall be permitted with a maximum floor area of 140 m²;
- Medical Office and Medical Clinics:
 - That any 'Medical Office' or 'Medical Clinic' uses located on the subject property shall collectively have an aggregated maximum number of four (4) practitioners on the subject lands;
- Drive-through Facilities:
 - Drive-through facilities shall not be permitted;
- Building Entrances
 - The Street Entrance(s) shall be located facing Gordon Street and/or Lowes Road;
- Ground Façade
 - A minimum of 50% of the first storey facing Gordon Street shall include clear glazing;
- Front & Exterior Side Yard:
 - Minimum of one (1) metre;
- Maximum Gross Floor Area (GFA):
 - Maximum of 1,770 m².

**139 Morris Street
Proposed Zoning By-law Amendment
File: ZC1110**

Recommended Conditions and Zoning Regulations

PART A: 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 139 Morris Street:

1. That the Owner/Developer shall submit to the City, in accordance with Section 41 of The *Planning Act*, a fully detailed site plan, including, but not limited to the location of the building, elevations and building design, landscaping, parking, traffic circulation, access, lighting, recommended noise attenuation measures, grading and drainage, and a waste management plan on the subject property to the satisfaction of the General Manager of Planning, Urban Design and Building Services and the General Manager/City Engineer, prior to any construction or grading on the lands.
2. That the site plan, elevations and building design drawings for the apartment building shall demonstrate the following to the satisfaction of the General Manager of Planning, Urban Design and Building Services:
 - a) That the main building entrance is located at the corner of York Road and Morris Street and the main entrance shall be architecturally emphasized to the satisfaction of the General Manager of Planning, Urban Design and Building Services.
3. That prior to site plan approval and prior to any construction or grading on the lands, the Owner/Developer shall have a Professional Engineer design a grading and drainage plan for the site, satisfactory to the General Manager/City Engineer.
4. That the Owner/Developer 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/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 approved by the City and that it is functioning properly.
5. That prior to site plan approval and prior to any construction or grading on the lands, the Owner/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.

6. That the Owner/Developer shall pay to the City the actual cost of replacing, extending, filling, repairing all curb and gutter and sidewalk/boulevard along the frontages of the subject site, that are required in order to service the proposed development, to the satisfaction of the General Manager/City Engineer and furthermore, prior to site plan approval, the Owner/Developer shall pay to the City the estimated cost, as determined by the General Manager/City Engineer, of replacing, extending, filling, repairing all curb and gutter and sidewalk/boulevard along the frontages of the subject site, that are required in order to service the proposed development.
7. That the Owner/Developer shall pay to the City the actual cost of the construction of the new access and the required curb cut, prior to any construction or grading on the lands, prior to site plan approval the Owner/Developer shall pay to the City the estimated cost as determined by the General Manager/City Engineer of constructing the new access and the required curb cut.
8. That prior to site plan approval and prior to any construction or grading on the lands, the Owner/Developer shall deed to the City free of all encumbrances a 2.0-metre (6.56 feet) wide parcel of land for a road widening across the entire north side of the York Road frontage abutting the subject property.
9. That prior to site plan approval and prior to any construction or grading on the lands, the Owner/Developer shall have an Ontario Land Surveyor prepare a reference plan identifying the road widening.
10. That the Owner/Developer 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.
11. That the Owner/Developer shall pay to the City the actual cost of constructing, installing or removal of any service laterals required and furthermore, prior to site plan approval, the Owner/Developer shall pay to the City the estimated cost of the service laterals, as determined by the General Manager/City Engineer.
12. That the Owner/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 site plan approval.
13. That all electrical services to the lands are underground and the Owner/ Developer 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.
14. That the Owner/Developer shall ensure that all telephone service and cable TV service in the Lands shall be underground. The Owner/Developer shall enter into a servicing agreement with the appropriate service providers for the installation of underground utility services for the Lands.

15. That prior to the issuance of a building permit, any monitoring wells and boreholes drilled for hydrogeological or geotechnical investigations shall be properly abandoned in accordance with current Ministry of the Environment Regulations and Guidelines. The Owner/Developer shall submit a Well Record to the satisfaction of the General Manager/City Engineer.
16. That the Owner/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.
17. That 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.
18. That prior to the to the issuance of a building permit, the Owner/Developer shall pay cash-in-lieu of parkland dedication 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.
19. That the Owner/Developer shall complete a tree inventory, preservation and compensation plan, satisfactory to the General Manager of Planning, Urban Design and Building Services and City Engineer, in accordance with the City of Guelph By-law (2010)-19058, prior to any tree removal, grading or construction on the site.
20. That prior to site plan approval, the Owner/Developer shall provide documentation of the Biltmore building and the entire extent of the original (1907) factory building using a combination of photographs from the City's Heritage Planning files. Scaled floor plans and elevation drawings shall be provided by the Owner/Developer to the satisfaction of the General Manager of Planning, Urban Design and Building Services.
21. That prior to site plan approval, the Owner/Developer, in consultation with Heritage Guelph, shall provide an appropriate amount of funding to enable the proponent to design, construct and install an appropriate signage/recognition on site that explains the cultural heritage significance of the Biltmore Company occupancy and previous significant use/occupants of the property.
22. That as part of site plan approval the recommendations provided in the Noise Impact Study prepared by Conestoga-Rovers Associates, dated November 14, 2012 shall be integrated into the design of the building, particularly with respect to noise mitigation specifications for upgraded windows/cladding, building materials, outdoor amenity areas and air-conditioning requirements to the satisfaction of the General Manager of Planning, Urban Design and Building Services.
23. That the following warning clause shall be incorporated into a future site plan control agreement, offers of purchase and sale or lease/rent for all units in the apartment building facing York Road:

"This dwelling unit has been supplied with a central air conditioning system which will allow windows and exterior doors to remain closed, thereby ensuring that the indoor sound levels are within the Municipality's and the Ministry of the Environment's noise criteria."

24. That the following warning clauses shall be incorporated into a future site plan control agreement, offers of purchase and sale or lease/rent for all townhouse and apartment units:

"Purchasers/Tenants are advised that despite the inclusion of noise control features in the development and with the building units, sound levels due to increasing road and rail traffic may on occasions interfere with some activities of the dwelling occupants as the sound levels exceed the Municipality's and the Ministry of the Environment's noise criteria. The Guelph Junction Railway (GJR)/Ontario Southland Railway (OSR) shall not be held liable for noise level or vibration level increases."

"Purchasers/Tenants are advised that due to the proximity of the adjacent industry, sound levels from the industry may at times be audible."

25. That prior to the issuance of a building permit, the Owner/Developer shall construct an acoustic barrier wall (berm and/or fence) being a total of 210 metres long with a maximum height of 3.85 metres along the Guelph Junction Railway property line.
26. That a 9-metre sight line triangle at the south-west corner of the property adjacent to the GJR corridor and York Road will be provided as part of the Site Plan approval for this property. No buildings, parking or landscaping taller than 0.5 metres above the level of the travelled portion of the street will be allowed in this sight line triangle. The Owner/Developer further agrees that any proposed landscaping will be reviewed and certified to be in accordance with the sightline requirements of Transport Canada's Canadian Railway-Roadway Grade Crossing Standards (CRRGCS).
27. That the following warning clause shall be incorporated into a future site plan control agreement, offers of purchase and sale or lease/rent for all townhouse and apartment units:
- "Purchasers/Tenants are advised that the Guelph Junction Railway will not accept any overland drainage from abutting properties and approved property line elevations are to be maintained."*
28. That prior to site plan approval, the Baseline Vibration Monitoring Report, prepared by Inspec-Sol Engineering Solutions, dated July 10, 2012, shall be updated to the satisfaction of the Guelph Junction Railway.

29. That prior to site plan approval, the Noise Impact Study, prepared by Conestoga-Rovers & Associates, updated November 14, 2012, shall be further updated to the satisfaction of the Guelph Junction Railway.
30. That the following warning clause shall be incorporated into a future site plan control agreement, offers of purchase and sale or lease/rent for all townhouse and apartment units:

"Purchasers/Tenants are advised that disposal of any type of refuse along the Guelph Junction Railway tracks is strictly prohibited."
31. That the Owner/Developer must follow Guelph Junction Railway's (GJR) policy document entitled, "Requirements for Contractors and Other Third Parties Entering onto and Working on GJR Property", or any successor thereof, when carrying out work involving machines within 15 metres of GJR track centreline.
32. That prior to site plan approval, the City's Risk Management Official shall be circulated site plan drawings/documents for review and comment.
33. That prior to site plan approval, the Owner/Developer shall enter into an agreement with the City, registered on title, satisfactory to the City Solicitor and General Manager/City Engineer, covering the conditions noted above and to develop the site in accordance with the approved plans and reports.

AND

PART B: ZONING REGULATIONS

The property affected by the Zoning By-law Amendment application is municipally known as 139 Morris Street and legally described as Factory Lot Plan 322 and Lots 21 to 30, Plan 322, all designated as Part 1, Reference Plan 61R-2664, City of Guelph.

That the Zoning By-law Amendment application be approved and that City Staff be instructed to prepare the necessary amendment to Zoning By-law Number (1995)-14864, as amended, to transfer the subject lands from the "Specialized Industrial (B.4-21) Zone to the following:

PROPOSED ZONING – "Specialized Residential Townhouse with Holding Provisions" (R.3B-22 (H)) and "Specialized Residential Apartment with Holding Provisions" (R.4D-9(H))

The following zoning is proposed for the subject property:

"Specialized Residential Townhouse with Holding Provisions" (R.3B-22(H) – On-Street Townhouse Zone)

In accordance with Section 5.3 of Zoning By-law (1995)-14864, as amended.

Permitted Uses

In accordance with Section 5.3.1.2 of Zoning By-law (1995) – 14864, as amended.

Regulations

In accordance with Section 5.3.2 of Zoning By-law (1995) – 14864, as amended (see excerpt of Table 5.3.2 below), with the following exceptions:

Despite Table 5.3.2, Row 9 and Sections 4.16 and 4.18, the maximum **Building Height** shall be two **Storeys**.

Despite Table 5.3.2, Row 14, a **Buffer Strip** is not required.

Despite Section 5.3.2.1, the maximum **Building** coverage (% of **Lot Area**) shall be 50 percent.

Holding Provision

Purpose: To ensure that the residential development does not occur until the completion of certain conditions to the satisfaction of the City:

Holding Provision Conditions:

Prior to the removal of the 'H' provision, the Owner/Developer shall complete the following conditions:

1. Improvements adjacent to the Guelph Junction Railway track that would allow a train to stop 3-4 cars before the crossing at a designated Stop sign, where the brakeman can get off the train and safely walk approximately 97.5 metres (320 feet) to the crossing to manually protect York Road prior to the train continuing down the grade shall be paid for by the Owner/Developer to the satisfaction of the Guelph Junction Railway. Such improvements include but are not limited to: grading on both sides of the railway and the placement of granular for a walkway with an added Stop sign at the 97.5 metre (320 foot location).
2. That the Owner/Developer shall demonstrate that the site-specific noise performance limits (as set by the Ministry of the Environment and Climate Change's (MOECC) noise criteria) related to the adjacent industrial use (Owens Corning) are met to the satisfaction of the City. The Owner/Developer can demonstrate that site-specific noise performance limits are met by installing the silencer (on the Owens Corning facility); or through an alternate mitigation strategy; or site-specific noise performance limits may be able to be achieved in 2016 based on progress following Owens Corning's Noise Abatement Plan.

EXCERPT FROM TABLE 5.3.2 - REGULATIONS GOVERNING R.3 ZONES

Row	Residential Type	R.3B Zone On-Street Townhouse
1		
2	Minimum Lot Area	180 m ²
3	Minimum Lot Area Per Dwelling Unit	180 m ²
4	Minimum Lot Frontage	6 metres
5	Minimum Front Yard	6 metres and as set out in Section 4.24 and 5.3.2.7
5a	Minimum Exterior Side Yard	4.5 metres and in accordance with Sections 4.24, 4.28 and 5.3.2.7
6	Minimum Side Yard	1.5m from the side of the Building .
7	Minimum Rear Yard	7.5 metres
8	Maximum Building Coverage (% of Lot Area)	50
9	Maximum Building Height	3 Storeys and in accordance with Sections 4.16 and 4.18.
10	Minimum Distance Between Buildings	--
11	Minimum Common Amenity Area	--
12	Minimum Private Amenity Area	--
13	Minimum Landscaped Open Space (% of Lot Area)	35
14	Buffer Strip	Where an R.3 Zone abuts any other Residential Zone or any Institutional, Park, Wetland, or Urban Reserve Zone a Buffer Strip shall be provided. Buffer strips may be located in a required Side or Rear Yard .
15	Fences	In accordance with Section 4.20
16	Off- Street Parking	In accordance with Section 4.13
17	Accessory Buildings or Structures	In accordance with Section 4.5
18	Maximum Number of Dwelling Units in a Row	8
19	Garbage, Refuse Storage and Composters	In accordance with Section 4.9
20	Maximum Density of Site	--
21	Maximum Driveway (Residential) width R.3B Zone On-Street Townhouses	See Section 4.13.7.2.5

The following zoning is proposed for the subject property:

"Specialized Residential Apartment with Holding Provisions" (R.4D-9(H) – Infill Apartment Zone)

In accordance with Section 5.4 of Zoning By-law (1995)-14864, as amended.

Permitted Uses

In accordance with Section 5.4.1.4 of Zoning By-law (1995) – 14864, as amended.

Regulations

In accordance with Section 5.4.2 of Zoning By-law (1995) – 14864, as amended (see excerpt of Table 5.4.2 below), with the following exceptions:

Despite Table 5.4.2, Row 10 and Sections 4.16, 4.18 and Defined Area Map No.68, the maximum **Building Height** shall be three (3) **Storeys**.

The minimum separation from the Railway right-of-way shall be 9.0 metres.

Severability Provision

The provisions of this By-law shall continue to apply collectively to the whole of the subject lands in this zone, despite any future severance, phase of registration, partition or division for any purpose.

Holding Provision

Purpose: To ensure that the residential development does not occur until the completion of certain conditions to the satisfaction of the City:

Holding Provision Conditions:

Prior to the removal of the 'H' provision, the Owner/Developer shall complete the following conditions:

1. Improvements adjacent to the Guelph Junction Railway track that would allow a train to stop 3-4 cars before the crossing at a designated Stop sign, where the brakeman can get off the train and safely walk approximately 97.5 metres (320 feet) to the crossing to manually protect York Road prior to the train continuing down the grade shall be paid for by the Owner/Developer to the satisfaction of the Guelph Junction Railway. Such improvements include but are not limited to: grading on both sides of the railway and the placement of granular for a walkway with an added Stop sign at the 97.5 metre (320 foot location).
2. That the Owner/Developer shall demonstrate that the site-specific noise performance limits (as set by the Ministry of the Environment and Climate Change's (MOECC) noise criteria) related to the adjacent industrial use (Owens Corning) are met to the satisfaction of the City. The Owner/Developer can demonstrate that site-specific noise performance limits are met by installing the silencer (on the Owens Corning facility); or through an alternate mitigation strategy; or site-specific noise performance limits may be able to be achieved in 2016 based on progress following Owens Corning's Noise Abatement Plan.

EXCERPT FROM TABLE 5.4.2 - REGULATIONS GOVERNING R.4 ZONES

Row	Residential Type	Infill <i>Apartment</i>
1		
2	Zones	R.4D
3	Minimum Lot Area	650m ²
4	Minimum Lot Frontage	15 metres
5	Maximum Density (units/ha)	100
6	Minimum Front Yard and Exterior Side Yard	3 metres and in accordance with Section 4.24.
7	Maximum Front Yard and Exterior Side Yard	6 metres
8	Minimum Side Yard	Equal to one-half the Building Height but in no case less than 3 metres, except where adjacent to any other R.4, Commercial, Industrial or Institutional Zone. In these circumstances, a minimum of 3 metres is required.
9	Minimum Rear Yard	Equal to 20% of the Lot Depth or one-half the Building Height, whichever is greater, but in no case less than 7.5 metres, except where adjacent to Commercial, Industrial or Institutional Zones. In these circumstances, a minimum of 7.5 metres is required.
10	Maximum Building Height	4 Storeys and in accordance with Sections 4.16, 4.18 and Defined Area Map No. 68.
11	Minimum Distance Between Buildings	See Section 5.4.2.3.
12	Minimum Common Amenity Area	None required.
13	Minimum Landscaped Open Space	The Front Yard of any Lot, excepting the Driveway, shall be landscaped. In addition, no parking shall be permitted within this Landscaped Open Space.
14	Off-Street Parking	In accordance with Section 4.13.
15	Buffer Strips	Where an R.4 Zone abuts any other Residential Zone or any Institutional, Park, Wetland, or Urban Reserve Zone, a Buffer Strip shall be developed.
16	Accessory Buildings or Structures	In accordance with Section 4.5.
17	Garbage, Refuse Storage and Composters	In accordance with Section 4.9.
18	Floor Space Index (F.S.I.)	2
19	Fences	In accordance with Section 4.20.