

Council Committee Room B
June 3, 2008 5: 30 p.m.

A meeting of Guelph City Council.

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

Absent: Councillors Findlay, Salisbury

Staff Present: Mr. H. Loewig, Chief Administrative Officer; Chief S. Armstrong, Director of Emergency Services/Fire Chief; Mr. L. Quan, Deputy Fire Chief; Mr. M. Amorosi, Director of Human Resources; Ms. T. Sinclair, Assistant City Solicitor; Mr. J. Riddell, Director of Community Design and Development Services; Mr. S. Hannah, Manager of Development & Parks Planning; and Ms. T. Agnello, Deputy City Clerk

- 1. Moved by Councillor Beard
Seconded by Councillor Farrelly

THAT the Council of the City of Guelph now hold a meeting that is closed to the public, pursuant to Section 239 (2) (d) and (f) of the Municipal Act, with respect to:

- labour relations or employee negotiations
- advice that is subject to solicitor-client privilege

Carried

The meeting adjourned at 5:31 o'clock p.m.

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Mayor

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Deputy City Clerk

Council Committee Room B
June 3, 2008 5:32 p.m.

A meeting of Guelph City Council meeting in Committee of the Whole.

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

Absent: Councillors Findlay and Salisbury

Staff Present: Mr. H. Loewig, Chief Administrative Officer; Chief S. Armstrong, Director of Emergency Services; Mr. L. Quan, Deputy Fire Chief; Mr. M. Amorosi, Director of Human Resources; Ms. T. Sinclair, Assistant City Solicitor; Mr. J. Riddell, Director of Community Design & Development Services; Mr. S. Hannah, Manager of Development & Parks Planning; Ms. T. Agnello, Deputy City Clerk; and Ms. D. Black, Assistant Council Committee Co-ordinator

DECLARATIONS UNDER MUNICIPAL CONFLICT OF INTEREST ACT

Councillor Hofland declared a pecuniary interest with regard to the matter respecting advice that is subject to solicitor-client privilege because she owns property in the area and left the meeting at the time of discussion of this matter.

The Director of Emergency Services provided information regarding the matter with respect to labour relations or employee negotiations.

The Director of Human Resources provided information regarding the matter with respect to labour relations or employee negotiations.

Chief S. Armstrong

- 1. Moved by Councillor Burcher
 Seconded by Councillor Hofland
 THAT staff be given direction with regarding a matter with respect to labour relations or employee negotiations.

Carried

- 2. Moved by Councillor Kovach
 Seconded by Councillor Burcher
 THAT the delegation of Peter Pickfield be allowed to speak to the Committee.

Mr. Pickfield provided information with respect to a matter regarding litigation or potential litigation.

The meeting adjourned at 6:40 o'clock p.m.

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Mayor

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Deputy City Clerk

Council Chambers
June 3, 2008

Council reconvened in formal session at 7:00 p.m.

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

Absent: Councillors Findlay and Salisbury

Staff Present: Mr. H. Loewig, Chief Administrative Officer; Ms. T. Sinclair, Assistant City Solicitor; Mr. J. Riddell, Director of Community Design & Development Services; Mr. S. Hannah, Manager of Development and Parks Planning; Mr. C. DeVriendt, Senior Development Planner; Ms. K. Nasswetter, Senior Development Planner; Mr. R. Phillips, Transportation Planning & Development Engineering Manager; Ms. T. Agnello, Deputy City Clerk; and Ms. D. Black, Assistant Council Committee Coordinator

The Mayor offered condolences to the Basrur family on the passing of Dr. Sheela Basrur.

DECLARATIONS UNDER MUNICIPAL CONFLICT OF INTEREST ACT

Councillor Hofland declared a pecuniary interest with regard to the 35 and 40 Silvercreek Parkway South proposed Official Plan and Zoning By-law amendments because she owns property in the area and did not discuss or vote on the matter.

PLANNING PUBLIC MEETING

Victoria North Subdivision – Proposed Draft Plan of Subdivision and Associated Zoning By-law Amendment (File 23T-08502/ZC0802) – Ward 2

Mr. Chris DeVriendt, Senior Development Planner, advised the proposed plan of subdivision will subdivide the subject property. The plan contains a 1.24 hectare neighbourhood commercial block and will have a total of 83 on-street townhouse units with a frontage along a new road that would provide a connection between Wildeman Boulevard and Victoria Road North. A stormwater management block would be situated at the northeast portion of the proposed draft plan. He also advised that the proposed zoning bylaw amendment would rezone the subject property from the Rural Zone to the

Neighbourhood Commercial zone, the On-Street Townhouse Zone and the Conservation Land Zone.

Ms. Astrid Clos advised that the owner of the property, Mr. Hussein Ghaddar and Mr. Chris Sims of Gamsby and Mannerow were also present to answer questions. She stated that a zoning by-law amendment may be coming forward at a future date. The applicant intends to request between 20 and 40 thousand square feet of commercial space which is allowable in the Official Plan.

1. Moved by Councillor Kovach
Seconded by Councillor Billings

Mr. J. Riddell

THAT Report 08-61 regarding a Proposed Draft Plan of Subdivision and associated Zoning By-law Amendment for approval of the Victoria Road North Subdivision applying to property municipally known as 671 Victoria Road North, and legally described as Part of Lot 1, Concession 7, Division `C', City of Guelph, from Community Design and Development Services dated June 3, 2008, be received.

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

VOTING AGAINST: (0)

Carried

Dallan Subdivision – Proposed Draft Plan of Subdivision and Associated Zoning By-law Amendment (File 23T-08503/ZC0803) – Ward 6

Ms. Katie Nasswetter, Senior Development Planner, advised that the proposed plan of subdivision would subdivide the subject property to contain a mix of residential housing units, a park, and lands dedicated to storm water management and open space to allow a total of 148 single detached, 24 on-street townhouse, 34 cluster townhouse, and 97 apartment units.

Approximately 7.6 hectares of the site are proposed to remain as conservation lands. The proposed zoning by-law amendments would rezone the subject property from the Urban Reserve, Wetlands, Agriculture and Hazard Zones to Single Detached Residential, Cluster Townhouse, On-Street Townhouse, Apartment, Neighbourhood Park, Stormwater Management and Conservation Lands zones. She advised that staff will take into consideration the correspondence received from the Guelph Field Naturalists as well.

Staff advised they will report back regarding the form of demarcation to be placed along Clair Road.

Ms. Carol Koenig, on behalf of the Guelph Field Naturalists was present to express concerns with respect to the Paris-Galt Moraine. She stated that this development is on the moraine and believes consideration of this development is premature. She stated the Halls Pond Wetlands Complex, immediately to the south of the proposed development is not being taken into consideration. She believes no development should occur in this area until studies are completed for determining the designation of these areas. She stated that this development does not comply with resolutions adopted within The Hanlon Creek Watershed Plan. She requested the opportunity to meet with the developer to assist with mitigating the impact on the surrounding lands.

Ms. Nancy Shoemaker, Planning Consultant representing Victoria Wood on this application, advised the applicant has been in contact with the GRCA. She believes the proposal adheres to the Official Plan and the Places to Grow density. She stated they just received the comments from the Guelph Field Naturalists and will be addressing the concerns and will be in contact with the Naturalists. She advised they have undergone a full ecological study because of the sensitive nature of the moraine and the moraine is currently east of Victoria Road as currently identified by the province. She stated that the property is contained and the Paris Moraine was considered in the development proposal. She also advised that the property is designated as residential within the Official Plan and services are available.

Staff will address building heights when they present back to Council. They will also advise if there will be a landscape buffer or fencing for the two blocks that have frontage onto Clair Road. Staff also stated they will have their environmentalists meet with the Guelph Field Naturalists.

Mr. John Valeriote, on behalf of Victoria Wood, advised that the issues raised by the delegations will be addressed. He assured the owner will meet with the Guelph Field Naturalists to address their concerns.

Staff will address the issue of prematurity of proceeding with this application as it relates to the Greenbelt expansion and Natural Heritage Plan.

Staff were directed to advise of a tree conservation plan, public access, and whether a reforestation plan would be

requested. They were also directed to explore the options of drainage ditches versus curbs or alternative designs.

2. Moved by Councillor Burcher
Seconded by Councillor Hofland

Mr. J. Riddell

THAT Report 08-62 regarding a proposed Draft Plan of Subdivision and associated Zoning By-law Amendment for approval of the Dallon Subdivision applying to property municipally known as 161, 205 and 253 Clair Road East, and legally described as Southwest Part Lot 11, Concession 8, Township of Puslinch, from Community Design and Development Services dated June 3, 2008, be received.

VOTING IN FAVOUR: Councillors Beard, Bell, Billings, Burcher, Farrelly, Kovach, Laidlaw, Piper, Wettstein and Mayor Farbridge (11)

VOTING AGAINST: (0)

**Ontario Municipal Board Hearing – 35 & 40
Silvercreek Parkway South: Proposed Official Plan
and Zoning By-law Amendments (OP0506/ZC0516)
– Wards 3 & 4**

Mr. Scott Hannah, Manager of Development and Parks Planning outlined the major changes from the original application which include the change of access, a small reduction in space and some site design changes. He outlined the public process to date including a facilitated planning exercise and drew attention to the issues that arose at this meeting. He advised of the issues City that staff have identified (as outlined in Schedule 2 of the Report). He outlined the key questions to be addressed with the application and then put forward the recommendations from staff. He stressed that Council needs to establish a position on the application so that staff and legal counsel can attend the OMB prehearing conference in a prepared manner.

He advised development charges cannot be used for the underpass project under the current development charges by-law.

Mr. Gordon Petch, on behalf of Armel Corporation was present to state that they concur with the report with one exception. He would like clarification that development charges will not be used for an underpass. He believes that no underpass could be completed without the Environmental Assessment of the Hanlon being completed. He raised the concern that allowing a new

commercial node on this property would encourage other developers to apply for new nodes to be created for them.

Ms. Laura New, on behalf of her husband, David Graham was present to recommend that this property be used for a GO station. She stated that the proximity of the property to the rail lines, the three highways and the space available for parking would make this property a suitable candidate for a GO transit station.

Mr. Ron Foley, on behalf of the Howitt Park Neighbourhood Association requested Council to vote against this application. He advised that he does not believe the developer should be allowed to have a commercial node on this property as it was not identified in the City's Commercial Development Plan and the City should adhere to their decision.

Mr. Robert Fischer, on behalf of the Howitt Park Neighbourhood Group provided the City with a recording of the information session held by the developer in November, 2005. He stated the Neighbourhood Group does not believe the developer has listened to them. The consensus from the neighbourhood is that they would like this property to be developed but not a "big box". He stressed that the community does want the land developed and they would like to be part of the planning process.

Mr. Paul Campeau, on behalf of the Howitt Park Neighbourhood Group provided a petition with approximately 140 signatures that they had at various locations throughout the city over the past two weeks. The petition requests Council to deny the current application and listed issues the community have with the development.

Ms. Susan Watson would like to urge Council to accept the staff report and take a position against the proposal. She does not support mediation as she does not feel the proposal should be supported as commercial only. She does not believe the residents need commercial retail on this site and feels the impact on existing commercial, particularly the downtown will suffer. She believes the City should not pay for the underpass because this would be subsidizing development.

Mr. Steve Zakim, on behalf of the applicant stated he believes the process has been productive and has narrowed and clarified the issues since the applicant has filed with the OMB. He advised they intend to continue to meet with City staff to rectify the issues.

Mr. J. Riddell
Ms. L. Payne

3. Moved by Councillor Burcher
Seconded by Councillor Piper
THAT Report 08-63 dated June 3, 2008 regarding an application for an Official Plan amendment and Zoning By-law Amendment for 35 and 40 Silvercreek Parkway South from Community Design and Development Services (the Report) be received;

AND THAT City Council pass the following resolution with respect to this application:

THAT City Council does not support the requested amendments to the Official Plan and Zoning By-law, as proposed, for the following reasons:

The proposed Official Plan amendment has not adequately addressed the specific tests set out in the Official Plan for an amendment to establish a new mixed use node or the general tests for an Official Plan amendment, and

There are a number of outstanding environmental, engineering and other technical issues as outlined in the Staff Report which must be adequately addressed before the amendments are considered for approval, and

THAT Council authorizes appropriate City Staff and advisors to participate in, and report back to Council on, further discussions and/or mediations, if any, involving the parties to the OMB proceedings to consider any modifications to the proposed development and planning documents, including additional technical information, which must address the outstanding concerns set out in this Report;

AND THAT should the Ontario Municipal Board find that the amendments, in their current or modified form, should be approved, a holding provision should be imposed on the proposed amending Zoning By-law to ensure that the development is appropriately serviced and developed;

AND THAT the City will not be in a position to make specific recommendations regarding the holding provisions for the amending Zoning By-law until the environmental, engineering and other technical issues identified in this Report have been adequately addressed;

AND THAT Council hereby directs and authorizes its legal counsel and appropriate staff to attend at the Ontario Municipal Board proceedings with respect to this matter in support of its position as set out in this resolution.

VOTING IN FAVOUR: Councillors Beard, Bell, Billings, Burcher, Farrelly, Kovach, Laidlaw, Piper, Wettstein and Mayor Farbridge (10)

VOTING AGAINST: (0)

Carried

The meeting adjourned at 9:20 o'clock p.m.

Minutes read and confirmed June 23, 2008.

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Mayor

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Deputy City Clerk