

Council Chambers
March 13, 2006

Council reconvened in formal session at 6:35 p.m.

Present: Mayor Quarrie, Councillors Baily, Billings, Birtwistle, Downer, Ferraro, Furfaro, Hamtak, Kovach, Laidlaw, Moziar and Schnurr.

Absent: Councillors Burcher

Staff Present: Dr. J. Laird, Acting Chief Administrative Officer/Director of Environmental Services; Mr. J. Riddell, Director of Planning & Development Services; Ms. M. Castellan, Senior Development Planner; Mr. D. Kudo, Manager of Infrastructure Planning; Mr. S. Hannah, Manager of Development Planning; Mr. C. Manley, Manager of Policy Planning; Ms. T. Sinclair, Assistant City Solicitor; Mrs. L.A. Giles, City Clerk/Manager of Council Administrative Services; and Ms. N. Marino, Assistant Council Committee Co-ordinator.

DECLARATIONS UNDER MUNICIPAL CONFLICT OF INTEREST ACT

There was no declaration of pecuniary interest.

The Mayor announced that the public meeting to deal with the wording for a question on the ballot – Municipal Election 2006, will no longer be on the March 20th agenda and will be moved to a later date in April.

PLANNING PUBLIC MEETING

Mayor Quarrie announced that in accordance with The Planning Act, Council was 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 planning matters listed on the agenda.

REGULAR MEETING

Concessions Holdings Inc.: Proposed Residential Draft Plan of Subdivision, Zoning Amendment and Plan of Condominium (File: 23T-05502, ZC0510, 23CDM05507 – Ward 1). – on lands located at the terminus of Joseph Street.

A presentation was made by Melissa Castellan, Senior Development Planner. The subject property is located at the terminus of Joseph Street and is designated as “General

Residential” in the Official Plan. She advised that the proposal conforms to the Official Plan.

The proposal will incorporate a private road access to the site via Joseph Street, establish 15 residential lots and an emergency access to Victoria Road.

She advised that this proposal has the support of the residents and that they have not received any comments or concerns. She believes the proposal respects the character of the neighbourhood and advised that the Planning Division supports the proposal being placed on the April 3, 2006 City Council meeting agenda for a decision.

Delegations

Astrid Clos was present on behalf of the applicant to answer any questions and to show support of this motion.

1. Moved by Councillor Kovach
Seconded by Councillor Birtwistle

Ms. N. Shoemaker
Mr. J. Riddell

THAT the revised application by Black, Shoemaker, Robinson and Donaldson Ltd. on behalf of Concession Holdings Inc. for a residential Draft Plan of Subdivision, associated Zoning By-law Amendment and Draft Plan of Condominium (File 23T-05502, ZC0510, 23CDM05507) on lands located at the terminus of Joseph Street legally described as Part of Lots 16, 17, 18, 21 and 22, Registered Plan 230, City of Guelph be placed on the April 3, 2006 City Council meeting agenda for a decision.

Carried

165 Dunlop Drive: Proposed Zoning By-law Amendment (File ZC0112 – Ward 1) – A Zoning By-law amendment from the I.2 (Institutional – Guelph Correctional Centre) Zone to the B.4-4 (Industrial) Zone.

A presentation was made by Melissa Castellan, Senior Development Planner. The subject site is located immediately north of the existing Cargill (Better Beef) facility on Dunlop Drive.

The site is currently zoned I.2 (Institutional – University of Guelph and Guelph Correctional Centre). The applicant proposes to change the site to the B.4.4 (Industrial) Zone to accommodate an addition to the existing plant and associated parking area. The property is designated “Special Study Area” in the Official Plan.

She advises that the Planning Division believes that the proposal meets the goal of the Strategic Plan and fits with the Official Plan criteria and they recommend this proposal for approval.

Delegations

Mr. John Valeriotte was present on behalf of the applicant to advise of the contribution of the Cargill facility in the Guelph community. He believes the proposal is a logical extension of what is there now and advised that the applicant has read the zoning by-law amendment and approves of the proposal.

Yehundah Nestle expressed concerns regarding working conditions at the Cargill (Better Beef) facility for it's employees and suggested sending more inspectors to the Cargill facility.

2. Moved by Councillor Furfaro

Seconded by Councillor Birtwistle

Mr. J. Valeriotte
Mr. J. Riddell
Mr. D. Kennedy
Dr. J. Laird

THAT the application by SmithValeriotte Law Firm LLP on behalf of Cargill (Better Beef Ltd.) for a Zoning By-law amendment from the 1.2 (Institutional – Guelph Correctional Centre) Zone to the B.4-4 (Industrial) Zone for property municipally known as 165 Dunlop Drive as legally described as Part Lot 3, Concession 2, Division C, designated as Parts 1, 2, 3, 4, 5, 6, 7, 8 and 9 on Reference Plan 61R-8107 and Parts 1, 2, 3, 4 and 5 on Reference Plan 61R-8838, City of Guelph, BE APPROVED, in accordance with the regulations and conditions set out in SCHEDULE 1 attached hereto.

Carried

Councillor Baily arrived at 7:08 p.m.

Commercial Policy Review – Official Plan Amendment #29 – to modify the commercial policy planning framework of the Official Plan.

A presentation was made by Craig Manley, Manager of Policy Planning. The purpose of the Commercial Policy Review is to identify the amount of commercial space required to meet the needs of the citizens as well as to identify the location where these spaces will be located.

The framework of the Commercial Policy is predicated by the need for adequate space to meet population growth and to promote and intensify the downtown, existing centres and neighbourhood centres. The Commercial Policy Review framework recognizes key commercial trends and is more flexible than the initial Official Plan.

Key components of the Commercial Policy Review framework include allowing a greater range in uses for established centres, limiting retail uses in Service Commercial Areas and requiring high quality urban design for commercial development.

The policy recognizes the role that the downtown serves in the surrounding neighbourhoods and is consistent with both the Provincial Policy Statement and the 'Places to Grow' initiatives. It provides planning controls and increased flexibility and is a contemporary plan that addresses deficiencies with the current framework.

Delegations

James Gordon expressed concern that local citizens have had input but no influence in this issue. He suggested that the development of commercial nodes are beneficial to land prospectors and commercial developers but not to the local citizens. He also stated he was disappointed in the timing of this meeting being it was during March Break and that information on the Commercial Policy Review was not very accessible to citizens. He further expressed his concern over "big box" stores and that they will have expensive long-term costs. He urged the Council to not pass this motion and wait until there is a revised Commercial Policy Review with more citizen input.

Mario Venditti suggested that the concept of mixed use nodes will allow for a variety of land uses and the efficient use of land. He believes the new Commercial Policy will create an increase in jobs, commercial spaces and will offset the residential tax burden. He commended Planning staff for the Commercial Policy and urged Council to adopt this policy.

Stephen Rodd was present and suggested that the increased focus on urban design and environmental efficiency were good changes to the Commercial Policy, but expressed concern whether they would actually get implemented. He expressed concern with the possibility of large stores moving to even larger locations resulting in abandoned sites throughout the city. He suggested that senior citizens and people with health problems would have difficulty shopping at "big box" stores because of the large size of parking lots and distance within the stores. He suggested that a lot of work still needed to be done on the Commercial Policy Review.

Robin-Lee Norris was present to request the support of including the LaFarge lands as a special study area as part of the Commercial Policy. She suggested that if they are not recognized as a special study area, they will repeatedly be coming back to Council for amendments and she therefore urged Council to recognize their lands and their use as a special study area.

Kris Sturgeon expressed concerns that the Commercial Policy will have a detrimental effect on the quality of life in Guelph. She was concerned that smaller stores will close and the city does not need larger stores. She encouraged more opportunities for citizens to walk and cycle to commercial areas. She suggested that the Commercial Policy would have a negative effect on the downtown

area and urged Council to support and enhance the downtown core.

Jan Hall expressed concern that the Commercial Policy will create more traffic, urban sprawl and pollution. She questioned how the Commercial Policy can fit with the Places to Grow criteria if has not yet been passed by the provincial government. She further expressed concern that information regarding the Commercial Policy Review was too difficult to access on the City of Guelph's website.

Ian Smith was present on behalf of the Guelph Chamber of Commerce. He suggested that commercial availability must grow with the size of the community. He supports locating large stores on arterial roads and believes it will allow for transit access. He also suggested that the Commercial Policy is a positive step to help residential rate payers.

John Valeriote was present on behalf of the Howitt Park Neighbourhood Residents Association and advised that the Howitt Park residents have interest in what is developed on the adjacent LaFarge lands. He suggested to Council that the proposal to include the LaFarge lands as a special study area should be reviewed.

Erika Gates-Gasse was present to represent the Guelph Student Union and expressed concerns that the Commercial Policy Review will negatively effect the development of a sustainable community. She believes the Commercial Policy does not articulate smart growth principles and that citizen concerns and input were not taken seriously. She urged Council not to allow the LaFarge lands to be included as a special study area.

Elsa Brown expressed concerns with the proposed development of four commercial nodes which she believes will not foster a sense of community. She suggests other smaller businesses will not want to co-locate with large stores and that the encouragement of alternate transportation modes will not be successful. She suggested supporting existing downtown businesses and urged Council not to include the LaFarge lands as a special study area.

Katie Gadd expressed concerns with small businesses ability to compete with "big box" stores. She suggested that larger stores do not support local youth in comparison to smaller businesses. She suggested that a pathway through a large parking lot should not be considered a walkable commercial area.

Ben Bennett expressed concerns about the decrease in air quality and increase in traffic as a result of building four large commercial nodes. He suggests smaller stores will close, the downtown area will become rundown and crime will increase. He further suggests that increasing the size of stores decreases shopping choices for citizens.

Bill Barrett expressed concerns about the impact the Commercial Policy will have on employment and suggests that not enough effort has been made to retain jobs. He further suggests that the Commercial Policy encourages an increase in the size of stores and this will lead to a net loss of jobs.

Chris Corosky was present on behalf of Armel Corporation and expressed that he supported many of the aspects of the Commercial Policy. He believes that the Commercial Policy has made some positive steps in regards to the creation of nodes and the intensification policy. He suggested reducing the use of prescriptive wording in the urban design and streamlining policies in order to reduce conflict.

Magee McGuire expressed concerns that discount food stores will replace the existing food stores and that the Commercial Policy is led by the needs of stores and not by the needs of residents. She encouraged reducing the size of commercial centres to keep with the Places to Grow mandate.

Barbara Mann expressed concerns that the proposed walkable communities will not happen. She suggested that large stores will abandon locations leaving them empty and larger stores will result in lower paying jobs. She offered to all Councillors a copy of the movie “End of Suburbia” and encouraged them to watch it.

James Profit was present on behalf of the Ignatius Centre and expressed concerns that a Walmart store will attract other similar stores. He suggests the city has a lack in foresight and the proposed land use is incompatible with the religious use. He suggests that development will result in increased traffic and pollution and encourage urban development adjacent to the spiritual centre. He requested that Council respect the spirituality of many faiths and the Jesuit Ministry.

John O’Regan expressed concerns that the Commercial Policy promotes an increase in cars to the City and that it will destroy the downtown. He suggests that the Commercial Policy will not result in a walkable community.

John Watson advised that he chose to live in Guelph so that he could walk to many places which saves money and contributes to better health and he believes this lifestyle is in jeopardy. He suggests that the Policy should not respond to just market forces but should have more foresight in decisions that will positively impact the City.

Yehundah Nestle expressed concerns that the Commercial Policy will result in an increase in the amount of people who will drive to commercial areas therefore increase oil consumption. He suggests that when oil prices increase, people will refrain from shopping in

these large commercial areas thereby creating problems in the future. He urged Council to postpone the debate on the Commercial Policy Review to allow for more delegations.

Dave Sills expressed concerns that the Commercial Policy will not allow for walking or biking to commercial areas. He suggested that Guelph will soon look like many other cities and urged Council not to support the Commercial Policy.

Joanne McKinnon expressed concerns that the Commercial Policy is a weak plan and it is not comprehensive. She suggests it will increase traffic and in turn increase safety and environmental problems. She further suggests that the City needs small neighbourhood centres, pedestrian connectivity and that the importance of downtown needs to be preserved.

Paul Clarkson expressed concerns that the Commercial Policy was based mostly on key commercial trends. He encouraged exploring alternative options and urged Council to take more time with their decision and encouraged them to watch “End of Suburbia”.

Dennis Galon was present and suggested that the decision about the Commercial Policy Review is about choice between the interests of the citizens and the interest of the developers.

Brian Holstein expressed concerns that the scheduling of the meeting during March break was not considerate to citizens. He further expressed concern that the small town atmosphere in Guelph will soon be gone and he suggested that “big box” stores reduce job quality and that citizens and the environment will suffer when “big box” stores are abandoned in the future. He urged Council to delay the passing of the Commercial Policy Review until they are more knowledgeable.

3. Moved by Councillor Furfaro
Seconded by Councillor Billings

THAT the Council meeting extend beyond the 11:00 p.m. adjournment, until 11:30 p.m.

Carried

4. Moved by Councillor Furfaro
Seconded by Councillor Hamtak

THAT the proposal by the City of Guelph for approval of an Official Plan Amendment to modify the commercial policy planning framework of the Official Plan, BE APPROVED, in accordance with the proposed policies and mapping outlined in Schedule 2 of the Planning and Development Services report #06-30 dated March 13, 2006.

5. Moved in Amendment by Councillor Birtwistle
Seconded by Councillor Moziar

THAT the OPA #29 be amended by adding the following paragraph:

“7.4.53 The property known as LaFarge lands, located on SILVERCREEK PARKWAY SOUTH and bounded by the CNR rights-of-way and the HANLON CREEK PARKWAY, shall be designated a Special Study Area that does not pre-assume any particular future land use as it is experiencing pressure for significant land use change. Designation as a Special Study Area will require all necessary, appropriate studies and public consultation, involving land owners, government agencies, conservation authorities and the general community to determine the future land use concept”

AND THAT Schedule 1, the map titled “Land Use Plan Incorporating OPA #29”, be amended to reflect the LaFarge property as a Special Study Area.”

A recorded vote was requested, which resulted as follows:

VOTING IN FAVOUR: Councillors Baily, Birtwistle, and Moziar (3)

VOTING AGAINST: Councillors Billings, Downer, Ferraro, Furfaro, Hamtak, Kovach, Laidlaw, Schnurr and Mayor Quarrie. (9)

The motion was defeated.

6. Moved by Councillor Schnurr
Seconded by Councillor Baily

THAT the Council meeting extend beyond the 11:30 p.m. adjournment, until 11:45 p.m.

7. Moved by Councillor Furfaro
Seconded by Councillor Hamtak

Mr. J. Riddell

THAT the proposal by the City of Guelph for approval of an Official Plan Amendment to modify the commercial policy planning framework of the Official Plan, BE APPROVED, in accordance with the proposed policies and mapping outlined in

Schedule 2 of the Planning and Development Services report #06-30 dated March 13, 2006;

AND THAT notwithstanding Subsection 7.4.1 of draft Official Plan Amendment #29, that the Official Plan Commercial Policy be evaluated against the final outcome of the City of Guelph’s local growth strategy.

A recorded vote was requested, which resulted as follows:

VOTING IN FAVOUR: Councillors Baily, Billings, Birtwistle, Ferraro, Furfaro, Hamtak, Moziar, Schnurr and Mayor Quarrie. (9)

VOTING AGAINST: Councillors Downer, Kovach and Laidlaw.
(3)

The motion was carried.

ADJOURNMENT

The meeting adjourned at 11:40 o'clock p.m.

Minutes read and confirmed April 3, 2006.

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Mayor

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Clerk

Regulations and Conditions

Regulations

This zoning amendment is for the property municipally known as 165 Dunlop Drive and legally described as Part Lot 3, Concession 2, Division C, designated as Parts 1, 2, 3, 4, 5, 6, 7, 8 and 9 on Reference Plan 61R-8107 and Parts 1, 2, 3, 4, and 5 on Reference Plan 61R-8838, City of Guelph.

The following zoning is proposed:

Industrial (B.4-4)

Permitted Uses

In accordance with the provisions of Section 7.3.4.4 of Zoning By-law (1995) – 14864, as amended.

Regulations

In accordance with Section 7.3 of Zoning By-law (1995) – 14864, as amended.

Conditions

1. That the Owner shall submit to the City, in accordance with Section 41 of The Planning Act, a fully detailed site plan, indicating the location of buildings, landscaping, parking, circulation, access, lighting, grading and drainage and servicing on the said lands to the satisfaction of the Director of Planning and Development Services and the City Engineer, prior to the issuance of a building permit, and furthermore the Owner agrees to develop the said lands in accordance with the approved site plan.
2. That the Owner implements and adheres to the recommendations and monitoring requirements contained in the Scoped Environmental Impact Study for the Better Beef Limited Expansion (165 Dunlop Drive, City of Guelph) prepared by Stantec Consulting Ltd. December 20th, 2004.
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 (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 thereof, prior to issuance of a building permit, at the rate in effect at the time of issuance of the building permit.
4. That the Owner grades, develops and maintains the lands including any storm water management facilities in accordance with a stormwater management

report and plans that have 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.

5. The Owner shall pay the actual cost of constructing and installing any service laterals required and furthermore, prior to issuance of a building permit, the owner shall pay to the City the estimate cost of the service laterals, as determined by the City Engineer.
6. That 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. Such agreement shall include, but not be limited to, the conditions outlined in Schedule 2 of the Planning Report dated February 13, 2006.