

Council Committee Room B
April 2, 2007 6:30 p.m.

A meeting of Guelph City Council.

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

Absent: Councillors Laidlaw, Salisbury, and Vacancy

Staff Present: Mr. L. Kotseff, Chief Administrative Officer; Mr. D.A. Kennedy, Director of Finance/City Treasurer; Mr. J. Riddell, Director of Community Design and Development Services; Mr. C. Manley, Manager of Policy Planning & Urban Design; Mr. P. Kraehling, Senior Policy Planner, Ms. T. Sinclair, Assistant City Solicitor; Ms. T. Agnello, Deputy City Clerk; and Ms. D. Black, Assistant Council Committee Co-ordinator

- 1. Moved by Councillor Burcher
Seconded by Councillor Piper

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

- Potential acquisition or disposition of land

Carried

The meeting adjourned at 6:32 o'clock p.m.

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Mayor

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Deputy Clerk

Council Committee Room B
April 2, 2007 6:33 p.m.

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

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

Absent: Vacancy

Staff Present: Mr. L. Kotseff, Chief Administrative
Officer; Mr. D.A. Kennedy, Director of Finance/City
Treasurer; Mr. J. Riddell, Director of Community Design
and Development Services; Mr. C. Manley, Manager of
Policy Planning & Urban Design; Mr. P. Kraehling, Senior
Policy Planner, Ms. T. Sinclair, Assistant City Solicitor;
Ms. T. Agnello, Deputy City Clerk; and Ms. D. Black,
Assistant Council Committee Co-ordinator

**DECLARATIONS UNDER MUNICIPAL CONFLICT
OF INTEREST ACT**

There were no declarations of pecuniary interest.

Mr. C. Manley, Manager of Policy Planning and Urban
Design provided information with respect to the potential
acquisition of property.

1. Moved by Councillor Burcher
Seconded by Councillor Billings

Ms. L.E. Payne
Mr. D.A. Kennedy
Mr. J. Riddell

THAT staff be given direction with respect to the potential
acquisition of property. Carried

The meeting adjourned at 6:38 o'clock p.m.

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Mayor

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Deputy Clerk

Council Chambers
April 2, 2007

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

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

Absent: Vacancy

Staff Present: Mr. L. Kotseff, Chief Administrative Officer; Mr. D.A. Kennedy, Director of Finance/City Treasurer; Mr. J. Riddell, Director of Community Design and Development Services; Mr. R. Henry, City Engineer; Mr. C. Manley, Manager of Policy Planning & Urban Design; Mr. S. Hannah, Manager of Development & Parks Planning; Mr. P. Kraehling, Senior Policy Planner, Ms. T. Sinclair, Assistant City Solicitor; Mr. A. Hearne, Senior Development Planner; Ms. M. Castellan, Senior Development Planner; Ms. T. Agnello, Deputy City Clerk; and Ms. D. Black, Assistant Council Committee Co-ordinator

DECLARATIONS UNDER MUNICIPAL CONFLICT OF INTEREST ACT

There was no declaration of pecuniary interest.

PLANNING PUBLIC MEETING

Mayor Farbridge 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.

Mayor Farbridge welcomed City Engineer, Rick Henry and Mr. Riddell provided the introduction.

500 VICTORIA ROAD NORTH – Proposed Zoning By-law Amendment to permit a specialized Retirement Residential Facility (ZC0614) – Ward 2

Mr. A. Hearne, Senior Development Planner provided information regarding the proposed application for the development of a specialized Retirement Residential Facility. He advised that the property is underutilized and has been declared by the Upper Grand District School Board as surplus property and they are pursuing the severance and sale of the northerly part of their property. He also advised that the applicant is preparing to submit associated applications for consent for severance through the Committee of Adjustment and for preliminary site plan approval through the Guelph Site Plan Review Committee. He stated that the proposal includes 118 one and two bedroom private retirement suites or rooms located in the main 3-storey building and 6 self-contained two bedroom dwelling units within 3 separate semi-detached cottages located to the rear of the building. He also advised that the application meets the intent of City goals and objectives outlined in the Official Plan, and that it will be compatible with the adjoining land uses.

In response to comments from Councillors, he assured that environmental issues including vegetation and water supply are being addressed and that staff will ensure this is a viable project.

DELEGATIONS

Mr. Dan Roach of Currey Brandaw Architects, on behalf of the applicant was present and responded to comments from the Councillors with respect to vegetation, snow removal and compatibility. He assured the Councillors that their company has a reputation for quality landscaping and property management.

Ms. S. Ross, a homeowner in the vicinity raised the concern that she had not received information that she was told would be forthcoming from the Board of Education and requested that she be provided with information and answers to her questions. Staff responded that they would get her contact information and ensure she received the appropriate information and answers she requested.

1. Moved by Councillor Burcher
Seconded by Councillor Findlay

Mr. Dan Roach
Mr. J. Riddell
Ms. L.E. Payne
Dr. J. Laird
Mr. D.A. Kennedy
Mr. D. McCaughan

THAT Report 07-24 regarding the rezoning of lands at 500 Victoria Road North from Community Design and Development Services dated April 2, 2007, be received;

AND THAT the application by Colson & Colson Construction Co. c/o Curry Brandaw Architects, Salem,

Chief S. Armstrong

Oregon, authorized by the Upper Grand District School Board, for approval of a Zoning By-law Amendment (File ZC0614) from the Institutional (I.1) Zone to a Specialized R.4A (General Apartment) Zone, applying to the northerly part of lands municipally known as 500 Victoria Road North, City of Guelph, to permit a Specialized Retirement Residential Facility, be approved, in accordance with the regulations and conditions outlined in Schedule 1 attached.

Carried

30-34 ARKELL ROAD – Proposed Zoning By-law Amendment (ZC0612) to permit a small scale townhouse development – Ward 6

Ms. M. Castellan, Senior Development Planner provided information regarding the proposed application for the development of a 12 unit cluster townhouse development located at 30-34 Arkell Road. She outlined the proposed specialized regulations:

- Front Yard Setback: 4.5 metres where 6 metres is required
- Rear Yard Setback: 6.5 metres where 7.5 metres is required
- Side Yard Setback: 3 metres where one-half the building height is required.
- Specialized regulations also required to permit windows to habitable rooms facing onto the side and rear yards with less than a 7.5 metre setback and to permit parking within 3 metres of a lot line

She also advised that some flexibility for the site has been provided to include an “apartment building” that would be a maximum of 5 storeys consisting of no more than 30-40 units.

In response to comments from Councillors, she also confirmed that the Engineering Department has reviewed the application and they are in support of this application.

The applicant Mr. J. Laws on behalf of Michael Watt was present in support of the application and to answer any questions with respect to this matter.

Mr. J. Laws
 Mr. J. Riddell
 Ms. L.E. Payne
 Mr. D.A. Kennedy
 Dr. J. Laird
 Mr. D. McCaughan
 Chief S. Armstrong

2. Moved by Councillor Kovach
 Seconded by Councillor Findlay
 THAT Report 07-30 regarding a Zoning By-law
 Amendment for property municipally known as 30-34
 Arkell Road from Community Design and Development
 Services dated April 2, 2007 be received;

AND THAT the application by Van Harten Surveying Inc.
 on behalf of Michael Watt for a Zoning By-law amendment
 from the R.1B (Residential Single Detached) Zone to a new
 Specialized R.3A (Cluster Townhouse) Zone affecting
 property municipally known as 30-34 Arkell road and
 legally described as Part of Lot 6, Concession 8 and Lot 1,
 Registered Plan 514, City of Guelph, be approved, in
 accordance with the regulations and conditions set out in
 Schedule 2 attached.

Carried

3. Moved by Councillor Hofland
 Seconded by Councillor Beard
 THAT persons wishing to address Council be permitted to
 do so at this time.

Carried

DELEGATIONS

**YORK DISTRICT PREFERRED LAND USE STUDY
PROCESS**

Mr. John Milne suggested that the City focus on utilizing
 the lands for environmentally-focused projects. He
 proposed the Correctional Centre property be developed as
 “The Ontario Environmental Research and Development
 Centre” which could become a concentration of industry,
 facilities and institutions with a focus on specialized
 environmental industries, support services, government
 institutions. He also proposed that the section designated
 as “Institutional” in the “Preferred York District Land Use
 Plan” be established as “The Ontario Environmental
 Exhibition” which could have indoor/outdoor exhibits/trade
 shows that would act as a total educational resource, and
 tourist attraction. He stated that the University has helped
 pave the way for this type of project and hopes the City will
 pursue this type of endeavour and allow Guelph to become
 a nationally recognized Environmental Capital of Canada.

Mr. J. Riddell

- 4. Moved by Councillor Burcher
Seconded by Councillor Billings

THAT the “York District Preferred Land Use Scenario” be received and used as the basis for the development of a final land use strategy for the York District lands;

AND THAT the York District Study Phase 3 workplan be endorsed as presented in Schedule 3 of Community Development & Environmental Services Report No. 07-25.

AND THAT the area defined as “lands south of Stone Road” be recognized as a “Specialized Area”.

Carried

- 5. Moved by Councillor Billings
Seconded by Councillor Burcher

THAT Council now go into the Committee of the Whole to consider reports and correspondence.

Carried

THIRD REPORT OF THE COMMUNITY DESIGN AND ENVIRONMENTAL SERVICES COMMITTEE

Mr. J. Riddell
 Mr. D. A. Kennedy
 Dr. J. Laird
 Ms. L.E. Payne
 Mr. D. McCaughan
 Chief S. Armstrong

- 6. Moved by Councillor Burcher
Seconded by Councillor Billings

THAT Guelph City Council advise the County of Wellington and the Upper Grand District School Board of its support for the use of the Mountford School land for affordable ownership housing consistent with the submission by Options for Homes pertaining to County of Wellington Project CW2007-007-Mountford School site, dated February 22, 2007 subject to any required refinement of the development concept through the statutory development application approval process;

AND THAT the City enter into necessary agreements with the Upper Grand District School Board and Options for Homes to act as an intermediary to facilitate the transfer of the land from the School Board to Options for Homes to implement the affordable housing proposal and that the Mayor and Clerk be authorized to enter into such agreements as are necessary for this purpose;

AND THAT the City of Guelph provide financial assistance for 22 units of the overall housing site that will receive subsidy from the Canada-Ontario Affordable Housing Ownership Program in the form of a grant from the City’s Affordable Housing Reserve that will off-set City development fees and charges subject to the terms set out in Report 07-34;

AND THAT the acquisition of the land, and the development of the affordable housing project is contingent upon successful development approvals being obtained and that staff report back to the Committee with respect to the financing of the project including parkland and the issue of replenishing reserves

Carried

7. Moved by Councillor Burcher
Seconded by Councillor Billings
THAT the Committee rise with leave to sit again.

Carried

8. Moved by Councillor Findlay
Seconded by Councillor Piper
THAT the action taken in Committee of the Whole in considering reports and correspondence, be confirmed by this Council.

Carried

SPECIAL RESOLUTION

9. Moved by Councillor Kovach
Seconded by Councillor Laidlaw
THAT one Ward 1 Councillor position is hereby declared vacant.

Ms. L.A. Giles
Ms. L.E. Payne

AND THAT the City Clerk be directed to contact Kathleen Farrelly to determine if she would consent to the appointment to this vacant position.

Carried

MAYOR’S ANNOUNCEMENTS

Mayor Farbridge announced there have been some changes taking place within the Community Design and Development Services Department which will streamline processes and provide more timely service and asked Mr. Riddell to explain the changes. Mr. Riddell explained that the department has established Functional Teams to:

- provide excellent customer service for the public and City departments;
- increase the Service Area’s profile within the Corporation and the Community
- improve cohesion, integration and cooperation amongst the various disciplines in the Service Area

He also advised that greater detail was available on the City’s website.

ADJOURNMENT

The meeting adjourned at 7:43 o'clock p.m.

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Mayor

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Deputy Clerk

Recommended Rezoning – Uses, Regulations and Conditions

Proposed Zoning By-law Amendment (File ZC0614) from the Institutional (I.1) Zone to a Specialized R.4A (General Apartment) Zone, applying to lands legally described as Broken Front Lot E, Division F, formerly in the Township of Guelph, being the northerly part of lands municipally known as 500 Victoria Road North, City of Guelph, in accordance with the following uses, regulations and conditions:

Specialized R.4A-__ Zone

“Permitted Uses

- Apartment Building
- Retirement Residential Facility providing accommodation in the form of suites, rooms and dwelling units within a maximum 3 storey apartment building form and a semi-detached building form.
- Nursing Home
- Home for the Aged
- Maisonette
- Accessory Uses in accordance with Section 4.23
- Home Occupation in accordance with Section 4.19.

Regulations

All R.4A Zone regulations, with the following exceptions and additions:

- Maximum building height of 3 storeys for any main buildings in lieu of Table 5.4.2 Row 10 which allows 8 storeys in height.
- Minimum rear yard of 7.5 metres for all buildings and structures in lieu of Table 5.4.2 Row 9 and Section 4.5.1.2 which allows accessory buildings within 0.6 metres of any lot line.
- Minimum Distance between Buildings of 9 metres for semi-detached buildings in lieu of 15 metres which is meant to apply to apartment buildings.

Conditions

1. 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, building elevations, grading, drainage, and servicing for the said lands, to the satisfaction of the Director of Planning and Development Services, prior to the issuance of the building permit, and furthermore the Owner agrees to develop the said lands in accordance with the approved plan.
2. The owner shall pay to the City, as determined applicable by the City’s Director of Finance, development charges and education development charges, in accordance with City of Guelph Development Charges By-law, as amended from time to time, or any successor thereof, and in accordance with the Education Development Charges By-laws of the Upper Grand District School Board (Wellington County) and the Wellington

Catholic District School Board, as amended from time to time, or any successor by-laws thereof, prior to issuance of a building permit, at the rate in effect at the time of issuance of the building permit.

3. Prior to the issuance of site plan approval, the owner shall pay to the City the owner's share of the actual cost, as determined by the City Engineer, of constructing the existing municipal services on Victoria Road across the frontage of the lands including sanitary sewer, storm sewer and watermain.
4. The owner shall pay its share, as determined by the City Engineer, of the actual cost of reconstructing and widening Victoria Road to a 4-lane urban section including asphalt pavement, granular base, curb and gutter, storm sewer with catchbasins and concrete sidewalk across the entire Upper Grand District School Board frontage and furthermore, prior to the issuance of site plan approval, the owner shall pay to the City its share of the estimated cost as determined by the City Engineer.
5. The owner shall pay the actual cost of constructing and installing any service laterals required and furthermore, prior to issuance of site plan approval, the owner shall pay to the City the estimate cost of the service laterals, as determined by the City Engineer.
6. The Owner shall pay to the City cash-in-lieu of parkland dedication in accordance with By-law (1989)-13410, as amended from time to time, or any successor thereof, prior to the issuance of site plan approval for the lands.
7. The owner shall complete a tree and hedgerow inventory and conservation plan in accordance with the City of Guelph Tree By-law (1986)-12229, satisfactory to the Director of Community Design and Development Services, prior to any grading or construction on the site and prior to the issuance of site plan approval for the lands. The owner shall include detailed plans of the proposed removal, pruning and replacement of vegetation to the perimeter hedgerows including a perimeter fencing plan with particular attention to protecting neighbouring property owners privacy and maximizing the retention of existing trees and shrubs, to the satisfaction of the Director of Community Design and Development Services. Further, the owner shall time the grading of the lands and vegetation removal to occur outside of the breeding season for birds (May 1 to July 30, 2007), to avoid the destruction of nesting habitat during breeding season.
8. Prior to the issuance of site plan approval for the lands, the owner shall have a Professional Engineer design a grading plan and storm water management system for the site, satisfactory to the City Engineer.
9. The owner shall grade, develop and maintain the site including the storm water management facilities designed by a Professional Engineer, in accordance with a Site Plan that has been submitted to and approved by the City Engineer. Furthermore the owner shall have the Professional Engineer who designed the storm water management system certify to the City that he/she supervised the construction of the storm water management system and that the storm water management system was built as it was approved by the City and that it is functioning properly.

10. Prior to the issuance of site plan approval for the lands, the owner shall pay to the City, the City's total cost of reproduction and distribution of the Guelph Residents' Environmental Handbook, to all future households within the project, with such payment based on a cost of one handbook per residential household, as determined by the City.
11. The Owner shall meet all the requirements of Guelph Hydro including the relocation of existing hydro services and the installation of new hydro services and shall enter into any agreements required by Guelph Hydro in order to fully service the said lands with hydro facilities to the satisfaction of Guelph Hydro, prior to the issuance of site plan approval for the lands.
12. The Owner shall enter into a servicing agreement with Bell Canada providing for the installation and payment of underground utility services for the development on the said lands, prior to the issuance of site plan approval for the lands.
13. That prior to the issuance of site plan approval, the owner shall enter into an Agreement with the City, registered on title, satisfactory to the City Solicitor, covering the conditions noted above."

Proposed Zoning By-law Amendment
Regulations and Conditions

The property affected by this Zoning By-law Amendment is municipally known as 30-34 Arkell Road and legally described as Part of Lot 6, Concession 8 and Lot 1, Registered Plan 514, City of Guelph.

The following zoning is proposed:

Specialized R.3A-? (Cluster Townhouse) Zone

Regulations

Permitted Uses

In addition to the Uses listed in Section 5.3.1 of Zoning By-law (1995) – 14864, as amended, the following Use shall also be permitted:

- Apartment Building

Regulations

Apartment Buildings shall be in accordance with the R.4A regulations of Section 5.4.1 of Zoning By-law (1995)-14864, as amended, with the following exception:

Maximum Building Height

The maximum Building Height shall be 5 Storeys.

All Townhouse dwellings shall be in accordance with Section 5.3.1 of Zoning By-law (1995) – 14864, as amended, with the following exceptions:

Minimum Front Yard

The minimum Front Yard Setback shall be 4.5 metres.

Minimum Side and Rear Yards

The minimum Side Yard shall be 3 metres.
The minimum Rear Yard shall be 6.5 metres.

Despite Section 5.3.2.2.2, windows to Habitable Rooms shall be permitted to face onto the Side and Rear Yards.

Off-street Parking

Despite Section 4.13.2.2, Parking Spaces located in the Side Yard may be located within 3 metres of the Lot Line.

Conditions

1. The owner shall pay to the City, the owner's share of the actual cost, as determined by the City Engineer, of constructing the existing municipal services on Arkell Road across the frontage of the lands including sanitary sewer, storm sewer, watermain, roadworks, sidewalk, curb and gutter, catchbasins and street lighting and the cost of the stormwater management outlet facility.
2. The owner shall pay to the City the actual cost of the existing service laterals to the property. In addition, the owner shall be responsible for the actual cost of abandoning and disconnecting at the watermain any existing water services that are not going to be used by the development, and furthermore, the owner shall pay to the City the estimated cost of abandoning and disconnecting the existing water services at the watermain as determined by the City Engineer.
3. The owner shall pay the actual cost of constructing and installing any service laterals as may be required for the new development, as determined by the City Engineer.
4. That any domestic wells and boreholes drilled for hydrogeological or geotechnical investigations shall be properly abandoned in accordance with current Ministry of the Environment Regulations and Guidelines to the satisfaction of the City Engineer.
5. The owner shall deed to the City, free of all encumbrance and satisfactory to the City Solicitor a 4.942 metre road widening across the frontage of 30 Arkell Road and a 1.895 metre road widening across the frontage of 34 Arkell Road.
6. The owner shall have a Professional Engineer design a grading plan and storm water management system for the site, satisfactory to the City Engineer.
7. The owner shall grade, develop and maintain the site including the storm water management facilities designed by a Professional Engineer, in accordance with a Site Plan that has been submitted to and approved by the City Engineer. Furthermore the owner shall have the Professional Engineer who designed the storm water management system certify to the City that he/she supervised the construction of the storm water management system and that the storm water management system was built as it was approved by the City and that it is functioning properly.
8. That the owner pay to the City, as determined applicable by the City's Director of Finance/Treasurer, 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.
9. That the developer shall be responsible for paying 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, or any successor thereof, prior to site plan approval.
10. Prior to site plan approval, the owner shall enter into an agreement with the City, registered on title, satisfactory to the City Solicitor, covering the conditions noted above.