

Council Chambers
May 8, 2006

Council convened in formal session at 6:30 p.m.

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

Absent: Councillor Kovach

Staff Present: Mr. L. Kotseff, Chief Administrative Officer; Mr. J. Riddell, Director of Planning & Development Services; Mr. S. Hannah, Manager of Development Planning; Ms. T. Sinclair, Assistant City Solicitor; Mr. R. Tolkunow, City Engineer/Manager of Engineering Services; Ms. M. Castellan, Senior Development Planner; Mr. C. De Vriendt, Senior Development Planner; Ms. T. Agnello, Deputy Clerk; and Ms. J. Sweeney, Council Committee Co-ordinator

DECLARATIONS UNDER MUNICIPAL CONFLICT OF INTEREST ACT

Councillor Furfaro declared a possible pecuniary interest with regards to the application for a Zoning Amendment for property municipally known as 26 and 30 Arthur Street South because the applicant is a family member and he did not discuss or vote on the matter.

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.

Dunnink Homes Limited (58 & 78 Fleming Road) – proposed Draft Plan of Subdivision and Associated Zoning By-law Amendment (File 23T-03502/ZC0304) to permit the development of 23 lots for detached dwellings

Chris De Vriendt, Senior Development Planner outlined the location of the subject property and advised of the neighbouring zoning. He advised that this is the last remaining undeveloped site in the area. He further advised that clarification would be provided relating to Condition 11 for the June 5, 2006 Council meeting with respect to the construction of the walkway. He also advised that

staff are support of this application as it is in conformity with the Official Plan; is an appropriate infill development within the surrounding neighbourhood; and would complete the development in this area.

There was no one in attendance to address this item.

Mr. J. Riddell
Mr. L. Van Harten

1. Moved by Councillor Birtwistle
Seconded by Councillor Baily

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

Carried

642 Woolwich Street – proposed Zoning By-law Amendment from the R.1B (Residential Single Detached) Zone to the C.1 (Commercial) Zone (File ZC0601)

Melissa Castellan, Senior Development Planner highlighted the location of the subject property. She advised that the purpose of the application was to change the zoning to permit a personal services care establishment, being a hairdressing salon on the property. She further advised that staff are supportive of this application as the proposed small scale commercial is appropriate for this location.

There was no one in attendance to address this item.

2. Moved by Councillor Ferraro
Seconded by Councillor Moziar

THAT the application by R. Cross for a zoning amendment from the R.1B (Residential Single Detached) Zone to the C.1 (Commercial) Zone affecting the property municipally known as 642 Woolwich Street and legally described as Part Lot 2, Plan 245, City of Guelph, be approved in accordance with the regulations and conditions set out in Schedule 1 attached hereto.

In response to questions by Council, the applicant advised that they have no concern with the removal of the convenience store and restaurant (take-out) use from the list of permitted uses.

3. Moved in Amendment by Councillor Birtwistle
Seconded by Councillor Downer

THAT the property municipally known as 642 Woolwich Street be rezoned to a Specialized C.1 (Commercial) Zone which would remove convenience store and restaurant (take-out) from the list of permitted uses.

A recorded vote was requested, which resulted as follows:

VOTING IN FAVOUR: Councillors Billings, Birtwistle, Burcher, Downer, Hamtak, Laidlaw and Moziar (7)

VOTING AGAINST: Councillors Baily, Ferraro, Furfaro, Schnurr and Mayor Quarrie (5)

The motion was carried.

Mr. J. Riddell

4. Moved by Councillor Downer
Seconded by Councillor Moziar
THAT in accordance with Subsection 34(17) of the Planning Act, Council has determined that the proposed change is minor in nature and no further public notice is required in respect to the proposed Zoning By-law Amendment.

Carried

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

5. Moved by Councillor Birtwistle
Seconded by Councillor Downer
THAT the application by R. Cross for a zoning amendment from the R.1B (Residential Single Detached) Zone to a Specialized C.1 (Commercial) Zone affecting the property municipally known as 642 Woolwich Street and legally described as Part Lot 2, Plan 245, City of Guelph, be approved in accordance with the regulations and conditions set out in attached Schedule 1.

Carried

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

Chris De Vriendt, Senior Development Planner highlighted the location of the subject lands. He advised that the property owner intends to apply for a severance to create individual lots for each half of the semi-detached dwelling, and that a zoning amendment is required to place the property into an appropriate zone that would permit the semi-detached use prior to the consideration of a severance application. He further advised that staff are support of this application as it would recognize a long standing use.

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

6. Moved by Councillor Birtwistle
Seconded by Councillor Baily
THAT the application (ZC0519) by Van Harten Surveying on behalf of Violet Furfaro for a Zoning By-law Amendment from the existing R.1B-10 Specialized Residential Single Detached) Zone to a Specialized R.2-? (Residential Semi-detached) Zone for property known as 26 & 30 Arthur Street and legally described as

Lot 34 and Part Lot 35, Plan 161, be approved in accordance with the regulations set out in attached Schedule 2.

Carried

MAYOR'S ANNOUNCEMENTS

Councillor Ferraro and Councillor Moziar will be hosting a Ward 2 Public meeting on June 8, 2006, 7:00 p.m. in room 4 at The Evergreen Seniors Centre.

On Thursday May 11, 2006, at the Victoria Road Recreation Centre at 7:00 p.m., Councillor Furfaro and Councillor Baily will be holding a Ward 1 meeting and they will have representatives from the Loblaws Group to give an update on the proposed grocery store at Starwood Drive and Watson Parkway. City Staff will also give an update on the post-closure of Eastview Landfill. Traffic Staff will discuss traffic in this part of the Ward, and Recreation and Parks will update the neighbourhood on the Trail System.

ADJOURNMENT

The meeting adjourned at 7:35 o'clock p.m.

Minutes read and confirmed May 15, 2006.

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Mayor

.....
Deputy Clerk

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

The following zoning is proposed:

Commercial C.1 Zone

Permitted Uses

In accordance with the provisions of Section 6.1.1 of Zoning By-law (1995) – 14864, as amended, excluding convenience store and restaurant (take-out) uses.

Regulations

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

Conditions

1. That prior to any change of use of the lands and prior to the issuance of any building permit on the lands, the owner shall have a Professional Engineer design a grading plan and storm water management system for the site, satisfactory to the City Engineer.
2. That the owner grades, develops and maintains the site including the storm water management facilities designed by a Professional Engineer, in accordance with a Site Plan that has been submitted to and approved by the City Engineer. Furthermore the owner shall have the Professional Engineer who designed the storm water management system certify to the City that he/she supervised the construction of the storm water management system and that the storm water management system was built as it was approved by the City and that it is functioning properly.
3. That the owner pays to the City, as determined applicable by the City's Director of Finance, development charges and education development charges, in accordance with City of Guelph Development Charges By-law, as amended from time to time, or any successor thereof, and in accordance with the Education Development Charges By-laws of the Upper Grand District School Board (Wellington County) and the Wellington Catholic District School Board, as amended from time to time, or any successor by-laws thereof, prior to issuance of a building permit, at the rate in effect at the time of issuance of the building permit.
4. The owner shall be responsible for the actual cost of all service laterals required for the lands or upgrades to existing service laterals and furthermore, prior to any change of use of the lands and prior to the issuance of a building permit on the lands the owner shall pay to the City, the City's estimate of the service laterals.
5. The Owner shall submit to the City, in accordance with Section 41 of The Planning Act, a fully detailed site plan including:

- a) The location and extent of the driveway and legal off-street parking spaces including screening and landscaping, and
- b) Grading, drainage and servicing information as required by the City Engineer.

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

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

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

R.2-?

26 & 30 Arthur Street South

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

Permitted Uses

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

Regulations

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

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