

Council Committee Room B
December 3, 2007 6:30 p.m.

A meeting of Guelph City Council.

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

Absent: Councillor Laidlaw, Mayor Farbridge

Staff Present: Mr. H. Loewig, Chief Administrative Officer; Ms. Tina Agnello, Deputy Clerk; and Ms. D. Black, Assistant Council Committee Co-ordinator

- 1. Moved by Councillor Billings
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) (b) of the Municipal Act, with respect to:

- personal matters about an identifiable individual

Carried

The meeting adjourned at 6:31 o'clock p.m.

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Councillor Lise Burcher, Chair

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Deputy Clerk

Council Committee Room B
December 3, 2007 6:32 p.m.

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

Present: Councillors Beard, Bell, Billings, Burcher, Farrelly, Findlay, Hofland, Kovach, Laidlaw (arrived at 6:35 p.m.), Piper, Salisbury and Wettstein

Absent: Mayor Farbridge

Staff Present: Mr. H. Loewig, Chief Administrative Officer; Ms. T.A. Agnello, Deputy Clerk; and Ms. D. Black, Assistant Council Committee Co-ordinator

DECLARATIONS UNDER MUNICIPAL CONFLICT OF INTEREST ACT

There were no declarations of pecuniary interest.

The City Administrator provided information with respect to identifiable individuals.

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

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Councillor Lise Burcher, Chair

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Deputy Clerk

Council Chambers
December 3, 2007

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

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

Absent: Mayor Farbridge

Staff Present: Mr. H. Loewig, Chief Administrative Officer; Ms. Tricia Sinclair, Assistant City Solicitor; Mr. J. Riddell, Director of Community Design & Development Services; Mr. S. Hannah, Manager of Development & Parks Planning; Mr. C. DeVriendt, Senior Development Planner; Mr. A. Hearne, Senior Development Planner; Ms. Tina Agnello, Deputy 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

Councillor Burcher, Chair 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.

1159 VICTORIA ROAD SOUTH

Mr. A. Hearne, Senior Development Planner provided information with respect to this application. He advised there are two separate development applications on the same property. The Official Plan amendment proposes to re-designate portions of the Open Space to the “General Residential” designation to allow the development of the proposed 210 plus 14 total residential units including the retention of a 9-hole golf course. The first proposed plan of subdivision for a 210 unit residential subdivision would create lots and blocks to provide for single-detached, on-street townhouse and apartment units with a private road access to Victoria Road through the approval of the common elements condominium application. The second subdivision is independent of the first and would be a 14 lot subdivision relying on roads and servicing through the Kortright Road East Subdivision.

The proposed condominium plan will create common elements for condominium ownership for the roads, golf course and accessory uses, storm water management areas and the open space lands and will include a 210 unit residential subdivision.

The proposed zoning amendment would rezone lands to the Wetland Zone to highlight the Torrance Creek and buffers, and the Specialized Residential Zone would allow the 210 unit residential development including a golf course with accessory buildings and the Park/Conservation zone would recognize stormwater management and open space to allow the continued use of the existing golf course and buffers and the Urban Reserve zone. The owner is requesting that the zoning of the lands be changed to the Single Detached Residential Zone to implement the 14 lot subdivision and the Park Conservation Zone for the buffers and stormwater management facilities.

Mr. Hearne then proceeded to explain that the review of the application will include the following:

- review of the criteria outlined in the Planning Act;

- evaluation of the proposal against the General Residential, Greenlands and Open Space policies of the Official Plan and the South Gordon Community Plan
- evaluation of the proposal against the Provincial Policy Statement and the Places to Grow legislation
- review and assess the Environmental Impact Study including the treatment of wetlands, buffers, corridors and linkages
- consider whether the Torrance Creek wetlands, buffers and associated open space lands should be dedicated to the City for conservation and protection
- review of the Stormwater Management Strategy and Servicing Report considering water quality and quantity, infiltration and recharge, groundwater and effects on the Creek.

Ms. N. Shoemaker, was present on behalf of the applicant. She stated that Ms. Tanya Lonsdale and Ms. Barb Dowsley who are involved with this project were also present to answer questions if needed. She advised the applicant is working with the GRCA to set out guidelines and buffers to best protect the wetlands. The applicant has increased the size of the buffers since the initial proposal and will allow the wetlands to regenerate naturally. She advised less water will be taken from the well since half the current golf course will be gone. She then provided information with respect to services to be available within the vicinity of this development proposal in conjunction with the surrounding subdivision plans. Ms. Shoemaker stated that the applicant does plan to erect some fencing. She advised that a traffic study will be done and that grading and storm water management issues are being examined in cooperation with the GRCA. An Environmental Impact Study has been completed and the developer has regard to the Torrance Creek Watershed Study.

In response to questions, Ms. Dowsley advised that the goal is to protect the wetlands and see the sustainability improve with the naturalization they have planned.

The issue of a park was raised and Ms. Shoemaker stated the development is geared to seniors. They are re-evaluating park usage, trails, sidewalks and pedestrian connectivity to adjacent lands.

Staff assured Council full scale detailed drawings will be available when the application comes back to Council.

Mr. S. Brouwer, a property owner within the area, inquired about the buffer zone distance from the closest part of the development to the wetlands and asked questions about the length and type of fencing to occur on the south side of the development. He also

expressed a concern with respect to the water usage and water table in the area.

Ms. Barb Dowsley, a listed delegation, did not speak at this time.

Questions were raised regarding how this application will integrate into the trail masterplan and connectivity.

Staff members were asked if there is anywhere else within the City with a 3 metre interface setback. Staff advised they believe so, although not at the same scale, and they will report back on this. Staff were also asked to qualify the urban design implications from the perspective of looking at future development on the south.

Parkland dedication was addressed and Council was advised that various options are being considered at this time including cash in-lieu for parkland. More information regarding public transit was also requested.

Staff also advised they will provide density targets that will be reviewed against Places to Grow and the Official Plan when they report back.

1. Moved by Councillor Kovach
Seconded by Councillor Billings

Mr. J. Riddell

THAT Report 07-108 regarding Official Plan Amendment, Subdivision, Condominium and Rezoning applications to allow a residential development applying to property municipally known as 1159 Victoria Road South, City of Guelph, from Community Design and Development Services dated December 3, 2007, be received.

Carried

VOTING IN FAVOUR: Councillors Beard, Bell, Billings, Burcher, Farrelly, Findlay, Hofland, Kovach, Laidlaw, Piper, Salisbury, and Wettstein (12)

VOTING AGAINST: (0)

120 WESTMOUNT ROAD

Mr. S. Hannah, Manager of Development and Parks Planning provided information regarding this application. The applicant proposes to amend the zoning on the subject property from the I.3 Zone to a new Specialized I.3 Zone to permit the development of life-lease residential apartment units for seniors. The 300 apartments proposed will be in three buildings; the first two buildings being 7 storeys and the third building to be 10 storeys. The apartments will be typical units with accessibility features and the residents will have access to home/personal care services if

required. The net residential density will be 81.7 units per hectare, a maximum height of 10 storeys with the location and siting of the buildings regulated by the Residential Apartment Zoning. In addition to the uses permitted in the I.3 Zone, the following uses would also be permitted:

- Apartment building
- Retirement residential facility
- Home for the Aged
- Nursing Home.

The following specialized regulations have also been requested:

- Underground parking to have a side yard setback of 0 metres where 3 metres is required (for building 1 for the south property boundary only)
- Minimum side yard
 - of 43.5 metres on the north side for residential apartment buildings where $\frac{1}{2}$ the building height but in no case less than 3 metres is permitted (in this case $\frac{1}{2}$ the building height is 12m for the 7 storey buildings and 16m for the 10 storey building);
 - 3 metres on the south side where $\frac{1}{2}$ the building height but no case less than 3 metres is permitted
- Minimum distance between buildings with windows to habitable rooms to be 15 metres where $\frac{1}{2}$ the building height and in no case less than 15 metres is required (only required for distance between buildings 2 and 3);
- Off-street parking to be 1.25 spaces per unit where the Zoning by-law requires 1.5 spaces per unit for the first 20 units and 1.25 spaces per unit for the remainder of the units

He also advised the review of the application will address the following:

- Evaluation of the proposal against the 'Major Institutional' designation, objectives and policies in the Official Plan; and
- Other comments and issues raised during the circulation of the application.

Mr. Hannah stated that the applicant intends to keep the existing berm and they may have a day care centre in the future. At a meeting with residents, the building height and placement of buildings were the key concerns. He advised that 10 stories is permitted already under the current zoning. He said a traffic impact assessment and preliminary storm water management study have already been completed and he showed an air photo of the property.

Marianne Walker on behalf of St. Joseph's provided an overview of the services they have provided, currently provide and plan to provide in the future.

Mr. John Cox provided information with respect to the application. He advised they will be retaining the berm between the site and Kimberly Drive. He stated the original concept was going to be two z-shaped buildings that extended into the berm area but the current site plan consists of L-shaped buildings pulled back from the berm area. The third building is tallest but would not be higher than the others due to the drop in the property. He stated they have scaled back the development since the original meeting in September, 2007. Changes have been made to scale back the upper stories and made the building face more articulated. Six stories face onto Westmount Road and one additional storey faces the back. He provided drawings of shadow studies for April 21st and August 21st – which he advised are typical dates. A traffic study was prepared which stated that the nature of the development results in very low traffic generation in peak hours so there would be no need for turning lanes on adjacent streets. Mr. Cox advised that Blandford Gates, architect for the project, and Gary Zock, President of Life Lease Associates of Canada were also present to answer questions.

It is planned that the first phase will be ready by spring of next year, and the complete project will take five to ten years. The eligibility criteria would be sixty years of age or older and the average age of buyer is mid to late seventies. It will be independent living seniors with a certain amount of services provided and it is not a retirement home.

There will be no through access on the property. They are examining different options for sorting garbage to avoid all the garbage going to landfill. The applicant is currently approaching landscape architects for possibilities of trail access and wetland issues.

Maria Case and Stuart Wren, residents within the area were present to express concern with the height of the building and the issue of compatibility with the neighbourhood. They believe the development is taking advantage of their desirable neighbourhood instead of being closer to the industrial end of the property and Willow/Edinburgh area. They would like to see a maximum height of six storeys, a reduction in the total number of units.

Brad Wallaker, a listed delegation did not attend.

Ms. Lisa Sharp was present to express concerns with respect to the height of the buildings being proposed and the incompatibility with the single and two storey homes within the area. She expressed concern with Kimberley Drive becoming a short cut. She proposed the buildings be a maximum of five storeys high with peak roofs in keeping with the main building. She advised the

residents of the neighbourhood wish to be more informed as many changes were made that were not provided to them.

Mr. Granger was present to express concerns with respect to integration of the development with the neighbourhood. He asked Council to consider the ramifications of a decision on property values. He also commented that the development could be a mixed bag of people and with 300 cars traffic congestion at Westmount & Speedvale would be a concern. He also inquired about the trails locations. He believes it would be more pertinent to put development closer to the St. Joseph's facility and further away from residents on Kimberley Drive.

Ms. Dickinson, a resident of Kimberley Drive requested that the shadow studies be done with respect to Kimberley Drive instead of Westmount Road and suggested they be done at 8 a.m. and 10 a.m.

Mr. Bob Webb, a resident within the area, just wanted to reiterate concerns already raised. He also expressed concern about headlights streaming into some of the houses along Westmount Road and problems with construction traffic. He asked that consideration be given to setting up barrier to keep dust, etc. to a minimum.

Mr. J. Fazekas, a long time resident of the area stated the height of the building is totally incompatible with the neighbourhood. He said that St. Joseph's has maintained good relationship with the neighbourhood thus far and he would like to see that continue. He wants staff to consider the issues of lights, and construction access and egress. He would also like site lines studies done from Kimberley Drive to show the actual view and shadow studies to be done as requested by the previous delegation

When asked why there was a need to amend the zoning by-law when the development is exceeding requirements, staff advised it was a form of guarantee to neighbours that the applicant will do what they have put on paper.

Council requested that the River Systems Advisory Committee be made aware of the development and provide comment before the application proceeds. They also requested a traffic study to be done in light of 300 units plus 96 additional beds being proposed.

The question was raised as to what the footprint would be of the development if the density of 81.7 units per hectare was implemented with fewer stories and whether there would be a loss of too much greenspace to accomplish this.

Council was assured that the St. Joseph’s Board does want to do what is fair and compatible with the neighbourhood and hopes to continue open communication.

Construction traffic routing can be done, and they will evaluate if it can be done off Edinburgh Road to protect the residents of Kimberley Drive.

The Streetscape on Westmount building is setting a precedent and staff should consider the ramification of this type of building setup propagating itself all the way down the street.

It was suggested that a policy around density aspect should be addressed to alleviate the great deal of variation currently occurring and staff needs to review targets and make it equitable.

Three dimensional imagery was requested to be provided by the proponent when the application comes back to Council. There was also the request for the proponent to provide shadowing done with the most extreme shadows in December for the morning, noon and night.

Mr. J. Riddell

2. Moved by Councillor Kovach
Seconded by Councillor Wettstein

THAT Report 07-109 dated December 3, 2007 regarding a Zoning By-law amendment for property municipally known as 120 Westmount Road from Community Design and Development Services be received.

VOTING IN FAVOUR: Councillors Beard, Bell, Billings, Burcher, Farrelly, Findlay, Hofland, Kovach, Laidlaw, Piper, Salisbury, and Wettstein (12)

VOTING AGAINST: (0)

Carried

168 FIFE ROAD

Mr. C. DeVriendt, Senior Development Planner provided background information with respect to this application. The applicant proposes to amend the zoning on the subject property from the Urban Reserve Zone to the Residential Semi-Detached/Duplex Zone and a new Specialized Residential Cluster Townhouse Zone. The application does not affect the 0.54 hectare triangular southwestern portion of the property directly south of Pamela Place. This means that future development of that remnant would need to occur as a land assembly to the western lands fronting on the southerly extension of Elmira Road. A total of 18 residential units are proposed with this application, consisting of 4

semi-detached units and 14 townhouse units. The semi-detached units would have frontage on Fife Road, while access to the 14 townhouse units to the south would be provided from a 6 metre wide private road from Fife Road. The existing house on the property is proposed to be demolished and Heritage Guelph has reviewed the application and have expressed no concerns. The lots for the semi-detached dwellings and the parcel for the cluster townhouse development are proposed to be created through a subsequent application for severance through the Committee of Adjustment.

Specialized regulations are being requested for the proposed Cluster Townhouse Zone including:

- A 15 metre setback from the Canadian National Railway right-of-way due to the proximity of the CNR, the units abutting the railway require a safety setback from the railway right-of-way. This setback has been approved by the CNR
- A maximum building height of 2 storeys, whereas the standard R.3A zoning specifies a maximum building height of 3 storeys
- A maximum of 14 townhouse dwellings permitted within the proposed R.3A Zone, whereas the maximum density permitted in the standard R.#A zone is 37.5 dwellings per hectare, which would permit a maximum of 27 townhouse units on the subject site
- A minimum side yard setback of 16 metres, whereas the standard regulation requires a minimum side yard setback equal to one-half the building height, and in no case, less than 3 metres from any rear or side lot line
- A minimum landscaped buffer strip of 10 metres along the easterly property line and 3 metres along the westerly property limit, whereas the standard zoning regulation requires a minimum buffer width of 1.5 metres
- A minimum of 6 visitor parking spaces located a minimum of 9 metres from the western property line, whereas the standard regulation would be a minimum of 3 visitor parking spaces to be located a minimum of 3 metres from the property line; and
- Permitting the distance between buildings which contain windows of habitable rooms to be located 3 metres from each other.

This application was received and under review before new process was implemented. He advised that concerns from residents seemed to primarily be that the density is too high, the impact on existing privacy, the impact on traffic and the lack of compatibility with the existing neighbourhood. He advised that before site plan can be approved a tree conservation plan must be

submitted. The issue of garbage/snow removal would need to be addressed. Staff will encourage the three-stream approach to accommodate multi-residential units and it will be looked at as part of site plan approval.

The question was raised why a maximum building height rather than maximum number of stories was not implemented and the planner advised that “storey” is defined in the City’s Zoning bylaw to address the issue. Council also inquired if there will be raised decks, and if so, what would the height limit be? The intent is for the decks to be ground level amenity areas and the grading on site will address this concern.

The issue of idling of vehicles on the property is also to be addressed.

Mr. Roberto Masferrer, a local resident, stated he was misinformed with respect to the process. He expressed concern with the density and the location of the guest parking and the effect that will have on his trees. He stated there is already a lot of high density properties on the multi-residential properties and there is not enough park space. He was concerned about garbage being right behind his property as well because of raccoons, litter and pollution and noise from the garbage vehicles. He wanted to know the type of materials to be used and what could be done to prevent a flip of the land once the zoning amendment occurs.

Mr. Ken Coutts, a joint owner of property on Gombas Place and long time resident expressed concern with the demolition of the detached building including the loss of the cedar trees and shrubbery on Fife road. He would like precautions to be taken to for sidewalks to go around the trees and he would like a tree conservation plan to be implemented. He inquired if an UR parcel of land could have storm water management put on it. He also wants the road widening’s purpose to be clearly identified. He would also like Fife Road to be like other arterial roads within the City with two lanes and bicycle lanes instead of four lanes. He stated the aesthetics of the area is a quiet neighbourhood with single detached, mainly brick and stone houses that are pleasing to look at, utilizing asphalt shingles, surrounding yards fenced with wood mostly providing a balanced appeal. With southerly exposures, he requested nothing of a highly reflective nature be used and that energy efficient windows should be used, and siding should be kept to a minimum.

Ms. Doris Orr, a resident within the vicinity, stated she is concerned about pollution and parking overflow that will be caused by all the vehicles that will come with this development. The development will be family-oriented and will likely mean 36-54 extra cars.

Ms. Lorna Schwartzenruber, a resident on Pamela Place adjacent to the property on Fife Road. She sent in a letter previous to the meeting and advised that she had concerns with the process. She stated that she would like more bushes & shrubs to mitigate the impact of the development. She was concerned that the residents' issues were not being addressed. She advised that with the current density, 3-4 townhouses would back onto her property and would have a negative impact on her privacy. She does not believe the roadway would be adequate for residents, guests, emergency vehicles and garbage removals and believes the vehicle activity would be high for the size of lots, and expressed concern about wildlife and the clear cutting on the west end tree areas. She does not believe the development is balanced with the amenities of the area and location of site is near the edge of the city, but little access to shopping or recreational facilities and the residents need to take a bus. She would like a bike lane, and more than the one existing pedestrian crosswalk. She stated that purchasers would be car dependent and an R.2 would be more beneficial to the neighbourhood.

Rosemary & John McKinnon of Gombas Place were present to state they share the concerns of the other delegates on the issues of density, parking, traffic, and lighting. They are concerned about loss of privacy and shadowing on their outdoor pool. They advised the second storey of the townhouses would have a clear view of their backyard and 3 townhouses would back directly onto their backyard. They would like to see a shadowing presentation especially for the hours between 3:00 p.m. and 5:00 p.m. They believe it would be difficult to sell their home with the pool in the shade and little privacy. They did not wish to see the 80 year old maple trees lost. Their biggest concern was inquiring if the rezoning were to take place would the developer have carte blanche to do whatever they want such as changing the height of the building or selling it to someone else and coming up with a worse plan. They suggested the City buys the property and make it a park

Mr. Soehner was present to express issues concerns and opportunities with respect to this development. He presented concerns with traffic site lines and suggested a crosswalk be installed. The close proximity of the sidewalk to the road is a safety concern, and would like to see the City realign the sidewalk in front of the property, and add a bicycle lane. He expressed concern with the high volume of garbage that will be produced and with a high frequency of unaccepted garbage, he is concerned about garbage sitting around. He also stated the residents are concerned about where the guests would park. He was concerned about the pollution, noise and environment with idling cars. He also raised the issue of drainage due to the sloping land because the existing drainage is poor and would be made worse with more

pavement. He stated he does not believe there is enough space to add 14 units plus a road. He raised the concern with the disappearing green space with only 3 small parks in the area. He stated residents are concerned about the mature trees on the subject property; and would like to save the trees.

3. Moved by Councillor Laidlaw
Seconded by Councillor Beard

THAT the procedural by-law be suspended to allow the meeting to continue until 11:30 p.m.

Carried

Ms. Leanne Clymont, a resident of Pamela Place, expressed concern about a garbage truck being right behind her backyard; and inquired whether vehicles will be parked at the back of her property. She advised she there are already many people using the back part of the property inappropriately and is concerned that if the property is paved, then this type of activity will increase.

4. Moved by Councillor Kovach
Seconded by Councillor Laidlaw

THAT the report be received and the application be refused.

5. Moved by Councillor Findlay
Seconded by Councillor Bell

Mr. J. Riddell

THAT the application regarding a Zoning By-law Amendment for property municipally known as 168 Fife Road be referred back to staff to work with the community members and the developer to reconcile the issues raised, including but not limited to, a reduced density, a specific building height, the issue of ground level amenities, the use of building materials, the issue of light pollution, the urban tree strategy fit with this application, the issue of a light-activated crosswalk, the issue of drainage, the issue of lighting, and the issue of bicycle lanes.

The motion to refer took precedence and was voted on first.

VOTING IN FAVOUR: Councillors Beard, Bell, Billings, Burcher, Farrelly, Findlay, Hofland, Kovach, Laidlaw, Piper, Salisbury, and Wettstein (12)

VOTING AGAINST: (0)

Carried

The meeting adjourned at 11:25 o'clock p.m.

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Councillor Lise Burcher, Chair

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Deputy City Clerk