

**ENVIRONMENTAL ADVISORY COMMITTEE
WEDNESDAY, OCTOBER 9, 2013 AT 7:00 P.M.**

**COUNCIL COMMITTEE ROOM C
MINUTES**

Present: S. Lohnes (Chair) Y. Roy
G. Johnstone K. O'Reilly
B. Mungall E. Stahl
E. Blenkhorn C. Parent
R. Park

Staff: A. Labbé, Environmental Planner, Connie Fach, Planning Clerk

External Groups: Shari Muscat, Stantec Consulting
Dan Eusebi, Stantec Consulting
Melissa Straus, Stantec Consulting
Larry Kotseff, 5 Arthur Street Developments
Steve Persehbacher, Stantec Consulting
Hugh Whiteley, LRG3
Charles Cecile, Nature Guelph
Heather Schibli, University of Guelph
Steven Fava, Alumni, University of Guelph

1. Call to Order

The meeting was called to order at 7:02pm.

2. Call and Certification of Quorum

Attendance was noted and a quorum was declared.

3. Declarations of Pecuniary Interest or Conflict of Interest

R. Park declared a conflict of interest on both applications as he is employed by the company that authored the reports

4. Development Applications

a) 5 Arthur Street South

A. Labbe presented background information on the property. She noted that the development proposes a Zoning Bylaw Amendment to permit mixed use including commercial and residential uses (650 – 750 units in townhouse blocks and towers), underground, below and above grade parking as well as a publicly accessible riverwalk trail and the re-use of an existing heritage building. The site is currently designated as Core Greenlands (Natural Hazards) and Special Policy Area/Floodplain and is recognized as Floodway and a Significant Environmental Corridor. The proposal also

seeks an Official Plan Amendment to policy 6.9.5.1a) to permit development within 30 m of the river's edge.

Melissa Straus requested acceptance of the EIS noting:

- The development is an overall improvement of the existing condition of the site.
- The required setback currently in the OP was not previously in place. She noted the lack of upstream and downstream fish movement.
- LID measures to address run-off
- Bird friendly guidelines for building would be encouraged
- No negative impact to wildlife

Larry Kotseff supported acceptance of the EIS noting:

- The proposed 15m setback is adequate
- The 15m walkway would be dedicated to the City and may then become the City's responsibility to develop. A master plan needs to be completed and determination of responsibility of this attribute would need to be decided.
- The heritage building would not be developed until later in the process
- Phase 1 of 4+ phases would be submitted for site plan approval early in 2014
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EAC members questioned the integrity of the existing wall to be retained and were assured that a study would be prepared. They wanted to know what flood conditions are to be applied in the study and what measures are being taken to protect the wall. Larry responded that ongoing hard/soft cap inspections would be required, bi-annual underground inspections would be required and any deficiencies would have to be rectified and reports on the status sent to the Ministry of the Environment, as per the Certificate of Property Use (CPU). This would be the owners' responsibility. The EAC highlighted the importance of understanding the integrity of the wall, despite the CPU, from the City's perspective.

The Committee inquired about the Trunk Sewer that crosses the Speed River. It was clarified that an EA is being led by the City's Engineering Dept on the Arthur Street trunk sewer. They are looking at alternative alignments which includes alternatives that don't cross the river at this location. This EA would be looking at decommissioning the existing sewer line that crosses the Speed, should an alternative be chosen that precludes it.

The Committee inquired about the possibility of having a pedestrian crossing at the Guelph Junction Railway (GJR). Larry advised that they would be entering discussions in an attempt to get permission from Guelph Junction Railway to allow crossing of the existing tracks.

The Committee deliberated about the 15 m setback and whether or not it would be adequate to protect the integrity of the river. It was decided that the conceptual information requested would provide clarity on this issue.

Moved by E. Stahl and seconded by K. O'Reilly,

“That

- a) It be demonstrated that the development will not negatively impact fish habitat for the long term;*
- b) It be demonstrated that the corridor enhancements and public trail can be accommodated within the proposed setback;*
- c) The potential/proposed use for the existing heritage building is clarified;*
- d) An assessment of the structural integrity of the river wall under flood conditions by a professional engineer is provided.*

Motion Carried
8 in favour, 0 against

4b. 50 Stone Road West

A. Labbe presented background information on the proposed residential development to rezone the site to allow 19 residential units.

Hugh Whitely spoke as a delegation requesting that EAC not support/accept the EIS for the proposed development. He noted that the meadow provides valuable habitat biodiversity and has buffer and linkage functions for the PSW, Significant valleyland and Significant Woodland that surround the meadow to the south, west and north and is a needed component of the NHS as the connective link between these NHS components and the larger natural area (surrounding the Torrence Creek swamp) that is directly across Victoria Road to the east. The EIS does not demonstrate that removal of the meadow does not severely degrade the quality of the Guelph’s Natural Heritage System and its components that surround it. He further cautioned that this development could endanger the Carter wells to the east which draw water from the shallow groundwater system.

A letter from Judy Martin, Sierra Club of Canada dated October 8, 2013, was circulated to members for their information. A letter from Nature Guelph dated July 5, 2013 was circulated for information.

Shari Muscat and Dan Eusebi from Stantec addressed the Committee recommending that they support the application and allow the outstanding issues to be dealt with at the EIR stage. They indicated that amphibian and breeding bird surveys have been undertaken and that there is no requirement for assessment of fish habitat. They advised that the SWM requirement was not identified at the beginning of the process.

Committee members indicated that there was not adequate evidence to support Stantec’s conclusions that certain species did not exist on the site and indicated that they would not support this claim without evidence or rationale as to why surveys were not carried out. Reference was made to the possible negative influence this could be on the Carter Well as no reports have been submitted to address what is happening underground. Water balance should be brought into the report and not just in the SWM Report. Members were apprehensive of the proposed 15m buffer being proposed and indicated that the buffer assessment was lacking key components such as identification of the stressors, the purpose and function of the buffer and a buffer width

Moved by Y. Roy and seconded by E. Blenkhorn,

“THAT the Environmental Advisory Committee defer the Environmental Impact Study prepared by Stantec Consulting Ltd. until outstanding issues related to hazard lands, fish habitat, significant wildlife habitat, significant woodlands, hydrogeology and PSW buffers are addressed and that the EIS include commentary to respond to concerns raised in the following submissions:

Hugh Whitely - October 7, 2013,
The Sierra Club - October 8, 2013,
The Nature Guelph Comments - July 5, 2013,
City of Guelph memo - August 28, 2013.”

Motion Carried
8 in favour, 0 against

5. Adoption of Minutes from Previous Meeting

Moved by G. Johnstone and seconded by K. O’Reilly,

“THAT the minutes of the meeting of August 21, 2013 be adopted as amended to correct record of attendance.”

Motion Carried
-Unanimous

6. Correspondence & Information

None

7. Other Business

A. Labbe introduced P. Wong, Planning’s new temporary Assistant Planning Ecologist. She advised that he would be working on developing EIS guidelines as initiated by EAC. He circulated a draft EIS terms of reference guideline which has also been circulated to staff and requested comments by November 13.

8. Next Meeting

November 13, 2013

9. Adjournment

The meeting was adjourned at 10:10 p.m.

CHAIRMAN