

COUNCIL PLANNING AGENDA



DATE NOVEMBER 2, 2009

Please turn off or place on non-audible all cell phones, PDAs, Blackberrys and pagers during the meeting.

**O Canada
Silent Prayer
Disclosure of Pecuniary Interest**

PUBLIC MEETING TO HEAR APPLICATIONS UNDER SECTIONS 17, 34 AND 51 OF THE PLANNING ACT

Application	Staff Presentation	Applicant or Designate	Delegations (<i>maximum of 10 minutes</i>)	Staff Summary
a) 1, 3, 5 & 7 Rosewood Avenue – Proposed Zoning Bylaw Amendment (File ZC0907) – Ward 3	Stacey Laughlin			
b) Dallan Subdivision – Revised Application for a Proposed Draft Plan of Subdivision and Associated Zoning Bylaw Amendment (23T- 08503/ ZC0803) – Ward 6	Katie Nasswetter	Nancy Shoemaker		

CORRESPONDENCE

- a) **1, 3, 5 & 7 Rosewood Avenue:** Proposed Zoning By-law Amendment
(ZC0907 – Ward 3)
- Isabel Britton

CONSENT agenda

"The attached resolutions have been prepared to facilitate Council's consideration of

the various matters and are suggested for consideration. If Council wishes to address a specific report in isolation of the Consent Agenda, please identify the item. The item will be extracted and dealt with immediately. The balance of the Consent Agenda can be approved in one resolution."

Item	City Presentation	Delegations <i>(limited to a maximum of 5 minutes)</i>	To be Extracted
A-1) 1440-1448 Gordon Street – Proposed Official Plan Amendment and Zoning By-law Amendment (File OP0802/ZC0807 – Ward 6)		Astrid Clos <i>(presentation)</i> Gary Baker & Chris Sims <i>(available to answer questions)</i>	√
A-2) Cedarvale/Cityview Subdivision – Request for an Extension of Draft Plan Approval (23T-99501 – Ward 1)			
A-3) New Service Agreement with Clearing and Depository Services Inc. (CDS)			
A-4) Debenture Issue			
A-5) Hanlon Expressway Watermain and Utilities, Contract #02-0962			

Adoption of balance of the Planning Consent Agenda

BY-LAWS

"*THAT By-law Numbers (2009)-18887 to (2009)-18888, inclusive, are hereby passed.*" (Councillor Beard)

- BYLAWS -

- November 2, 2009 -

By-law Number (2009)-18887 To authorize the issue of replacement debenture certificates. (CDS Clearing and Depository Services Inc.)	A by-law to authorize the issue of replacement certificates.
By-law Number (2009)-18888 To authorize the execution of a book entry only - services agreement and a rider, both with CDS Clearing and Depository Services Inc. ("CDS") and both in respect of the deposit in the CDS system of debentures as book entry only securities.	A by-law to authorize the execution of a book entry only – services agreement and a rider, both with CDS Clearing and Depository Services Inc. (CDS)
By-law Number (2009)-18889 A By-law to authorize the re-conveyance of Reserve Blocks 90 and 91, 61M60, City of Guelph to Westminister Woods Ltd.	A by-law to authorize the reconveyance of lands to Westminister Woods Ltd.

ADJOURNMENT

TO **Guelph City Council**

SERVICE AREA Community Design and Development Services
DATE November 2, 2009

SUBJECT **1, 3, 5 & 7 Rosewood Avenue
Proposed Zoning By-law Amendment
File - ZC0907**

REPORT NUMBER 09-86

RECOMMENDATION

"THAT Report 09-86 regarding a proposed Zoning By-law Amendment to permit the development of additional parking spaces for the existing church; a pedestrian access to the existing school from Rosewood Avenue; and a vehicular access to the existing church and school from Rosewood Avenue, applying to the properties municipally known as 1, 3, 5, & 7 Rosewood Avenue, and legally described as Part of Lots 1 to 4, Registered Plan 349, City of Guelph, from Community Design and Development Services dated November 2, 2009, BE RECEIVED".

BACKGROUND

This report provides information on an application requesting approval of a Zoning By-law Amendment application (ZC0907) from Black, Shoemaker, Robinson & Donaldson.

Location

The subject site is comprised of four residential lots having a total area of approximately 2,460 m² (26,480 sq. ft.) on the easterly side of Rosewood Avenue, immediately north of Paisley Road (see **Schedule 1** - Location Map). The applicant is requesting to amend the zoning for all of 1 and 3 Rosewood Avenue, as well as portions of 5 and 7 Rosewood Avenue. The total land area proposed to be rezoned is 1,460.8 m² (15,724.43 sq. ft.). Adjacent land uses consist of St. Joseph Catholic Church and St. Joseph Catholic School to the east; detached dwellings and another school to the south across Paisley Road; and detached dwellings to the north and west.

Official Plan Designation

The subject site is currently designated "General Residential" in the Official Plan. See **Schedule 2** for a map and relevant Official Plan policies.

Existing Zoning

The subject site is currently zoned R.1B (Residential Detached) in the Zoning By-law (see **Schedule 3**).

REPORT

Description of Proposed Zoning By-law Amendment

The applicant is requesting the Zoning By-law Amendment from R.1B (Residential Detached) to I.1 (Institutional) to permit the development of additional parking spaces for St. Joseph Catholic Church as well as pedestrian and vehicular access points to the church and school from Rosewood Avenue (see **Schedule 4 – Proposed Zoning** and **Schedule 5 – Proposed Development Concept**). To accommodate the additional parking spaces, the applicant is proposing to demolish the existing dwellings at 1 and 3 Rosewood Avenue. The existing dwellings at 5 and 7 Rosewood Avenue are being retained. Vehicular access from Rosewood Avenue to the church and school is proposed to be over 5 Rosewood Avenue in the same location as the existing driveway. A new driveway for this house will be constructed on the northerly side of the dwelling. The pedestrian access to the school from Rosewood Avenue is proposed to be over 7 Rosewood Avenue, which currently has two driveways. The northerly driveway will be narrowed and become a formal access point for pedestrians to the school. The driveway on the southerly side of the property will be for the residential dwelling only and will not provide access the school property.

A site plan application has been approved for a replacement school building for St. Joseph Catholic School. The site plan identifies the location of the new building, as well as parking on the southerly side of the building. The proposed vehicular and pedestrian access points from Rosewood Avenue to the school site were not part of the site plan application and have not been approved. The proposed accesses will require easements in favour of the school property.

The review of this application will address the following issues:

- Evaluation of the proposal against the relevant policies of the Official Plan
- Evaluation of the proposal against the Provincial Policy Statement and the Places to Grow legislation
- Evaluation of the proposal against the City's Demolition Control By-law
- Site design and compatibility with adjoining residential properties
- Review of the proposed zoning and the need for specialized regulations

Once the application is reviewed and all issues are addressed, a report from Community Design and Development Services with a recommendation will be considered at a future meeting of Council.

CORPORATE STRATEGIC PLAN

Goal 1: An attractive, well-functioning and sustainable city.

FINANCIAL IMPLICATIONS

Financial implications will be reported on in the future Community Design and Development Services recommendation report to Council.

COMMUNICATIONS

The Notice of Application and Notice of Public Meeting was on circulated on October 9, 2009.

ATTACHMENTS

Schedule 1 - Location Map
Schedule 2 - Official Plan Designation and Relevant Policies
Schedule 3 - Existing Zoning
Schedule 4 - Proposed Zoning
Schedule 5 - Proposed Development Concept

Original Signed by:

Prepared By:

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Development and Urban Design Planner
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Original Signed by:

Recommended By:

R. Scott Hannah
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Parks Planning
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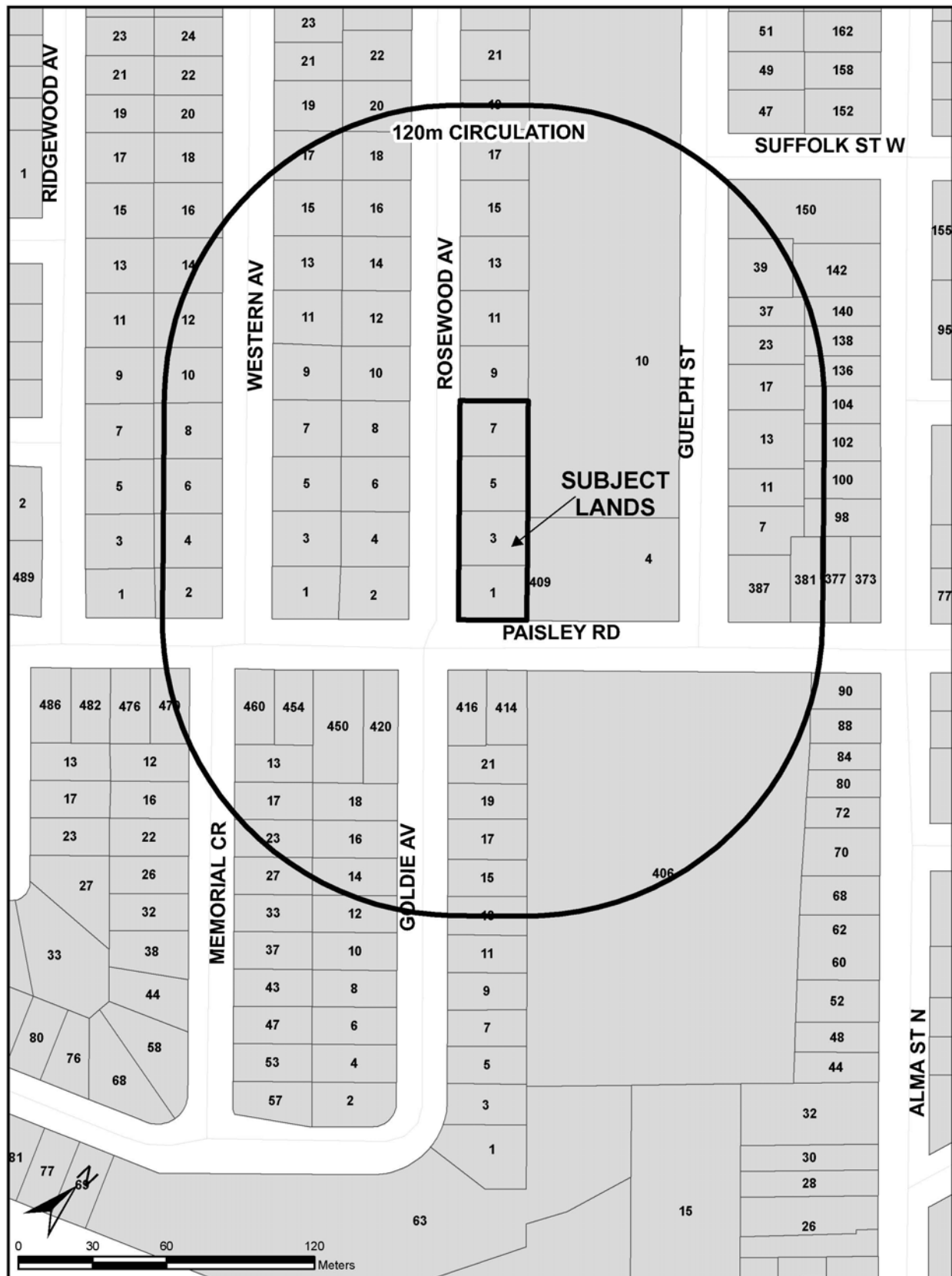
Original Signed by:

Recommended By:

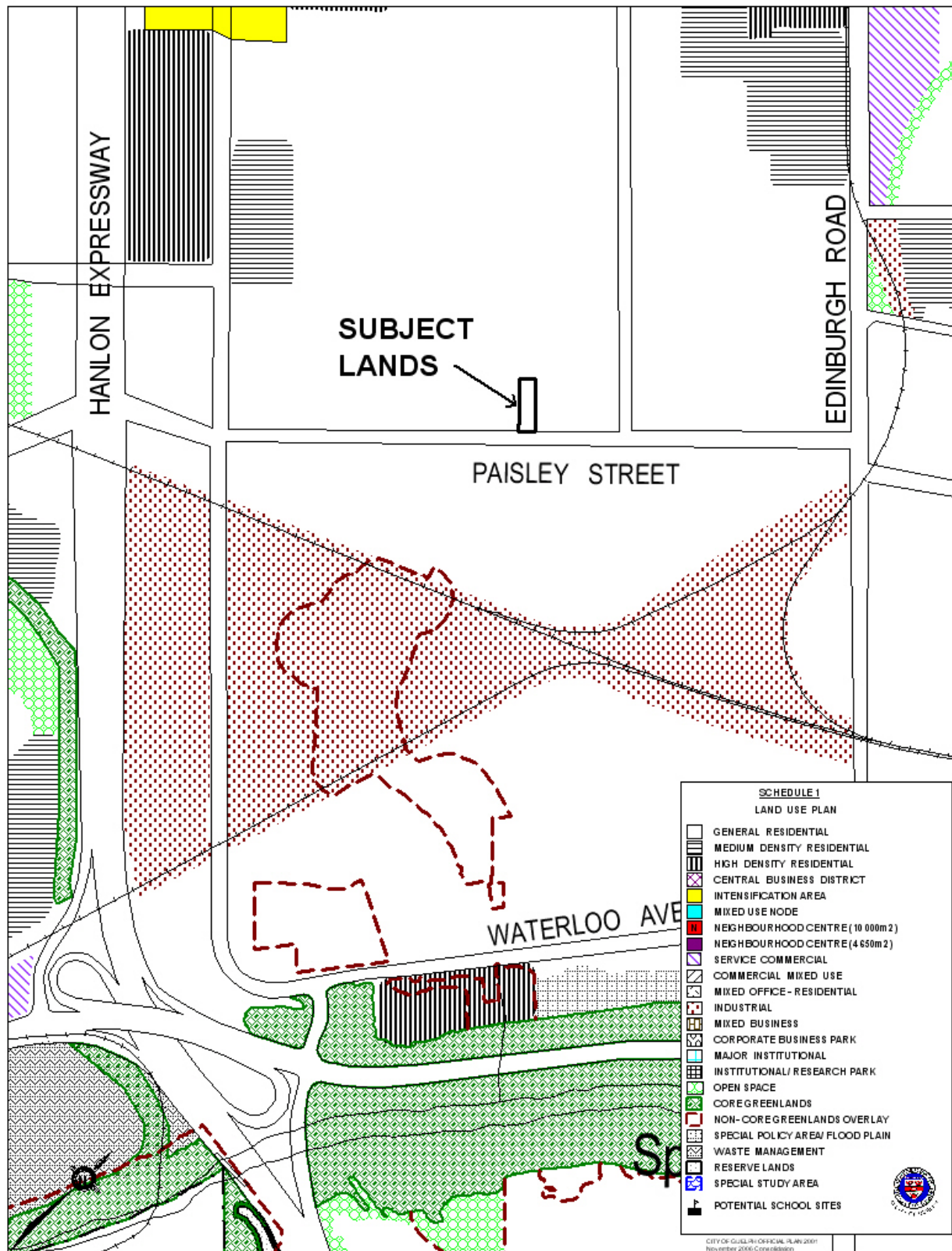
James N. Riddell
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T:\Planning\COUNCIL REPORTS\Council Reports - 09\09-86) 1,3,5,7 Rosewood Ave ZC0907 (Stacey).doc

SCHEDULE 1 – Location Map



Schedule 2 - Official Plan Designation and Relevant Policies



Schedule 2 - Official Plan Designation and Relevant Policies (continued)

Non-Residential Uses in Residential Areas

7.2.26 Within designations of this Plan permitting residential uses, a variety of small-scale institutional uses may be permitted that are complementary to, and serve the needs of residential neighbourhoods. Such non-residential uses include: schools, churches, *day care centres*, municipal parklands and recreational facilities. In addition, *convenience commercial* uses that provide goods and services primarily to the residents in the surrounding neighbourhood may also be permitted. These convenience uses will be limited by the Plan to a maximum *gross leasable floor area* of 300 square metres (3,200 square feet) on a property.

'General Residential' Land Use Designation

7.2.31 The predominant use of land in areas designated, as 'General Residential' on Schedule 1 shall be residential. All forms of residential *development* shall be permitted in conformity with the policies of this designation. The general character of development will be low-rise housing forms. *Multiple unit residential buildings* will be permitted without amendment to this Plan, subject to the satisfaction of specific development criteria as noted by the provisions of policy 7.2.7. Residential care facilities, *lodging houses*, *coach houses* and garden suites will be permitted, subject to the development criteria as outlined in the earlier text of this subsection.

7.2.32 Within the 'General Residential' designation, the *net density of development* shall not exceed 100 units per hectare (40 units/acre). 1. In spite of the density provisions of policy 7.2.32 the *net density of development* on lands known municipally as 40 Northumberland Street, shall not exceed 152.5 units per hectare (62 units per acre).

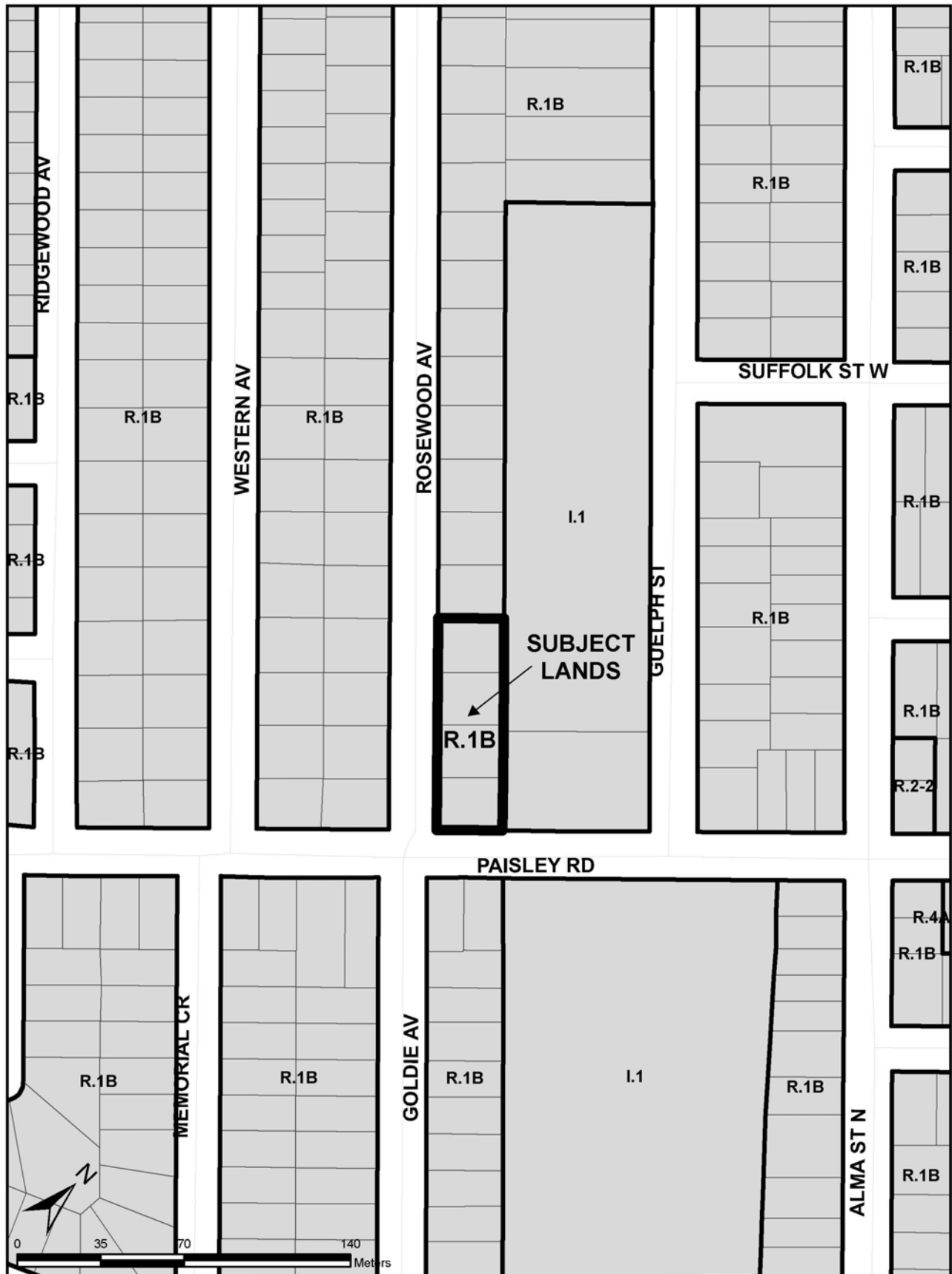
7.2.33 The physical character of existing established low density residential neighbourhoods will be respected wherever possible.

7.2.34 Residential lot *infill*, comprising the creation of new low density residential lots within the older established areas of the City will be encouraged, provided that the proposed *development* is compatible with the surrounding residential environment. To assess compatibility, the City will give consideration to the existing predominant zoning of the particular area as well as the general design parameters outlined in subsection 3.6 of this Plan. More specifically, residential lot *infill* shall be compatible with adjacent residential environments with respect to the following:

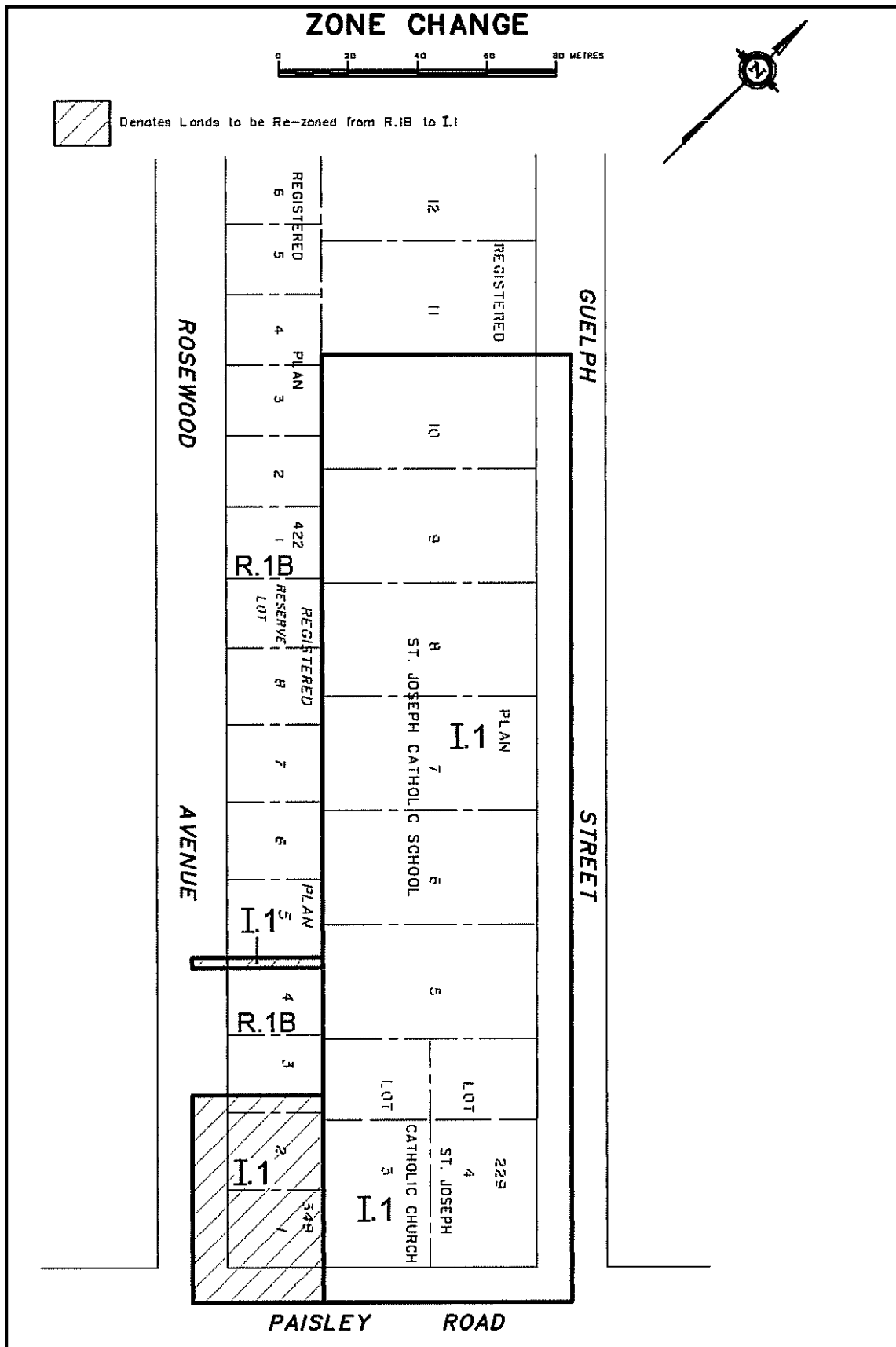
- a) The form and scale of existing residential development;
- b) Existing building design and height;
- c) Setbacks;
- d) Landscaping and amenity areas;
- e) Vehicular access, circulation and parking; and
- f) Heritage considerations.

7.2.35 Apartment or townhouse *infill* proposals shall be subject to the development criteria contained in policy 7.2.7.

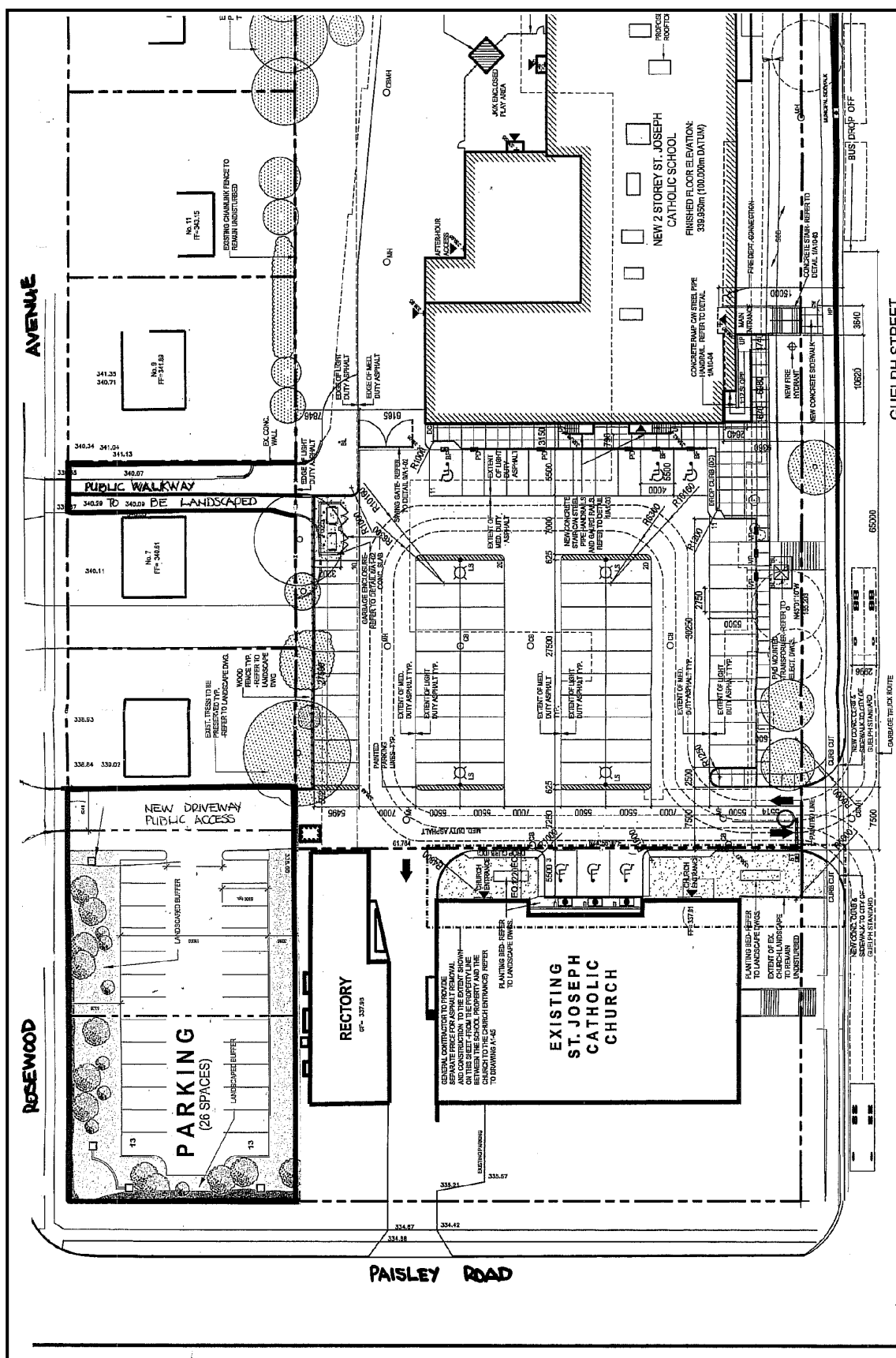
SCHEDULE 3 – Existing Zoning



SCHEDULE 4 – Proposed Zoning



CITY OF GUELPH COUNCIL REPORT



TO **Guelph City Council**

SERVICE AREA Community Design and Development Services
DATE November 2, 2009

SUBJECT **Dallan Subdivision– Revised Application for a
Proposed Draft Plan of Subdivision and Associated
Zoning By-law Amendment
(File: 23T-08503/ZC0803) – Ward 6**

REPORT NUMBER 09-84

RECOMMENDATION

"THAT Report 09-84 regarding a revised proposed Draft Plan of Subdivision and associated Zoning By-law Amendment for approval of the Dallan Subdivision applying to property municipally known as 161, 205 and 253 Clair Road East, and legally described as Southwest Part Lot 11, Concession 8, Township of Puslinch, from Community Design and Development Services dated November 2, 2009, BE RECEIVED."

BACKGROUND

This report provides information on a revised application requesting approval of a Draft Plan of Subdivision and associated Zoning By-law amendment application (23T-08503/ZC0803) from Black, Shoemaker, Robinson and Donaldson Ltd., on behalf of Victoria Wood (Dallan) GP Inc., for the property municipally known as 161, 205 and 253 Clair Road East.

This application was deemed to be a complete application on May 1, 2008. The first submission went to a statutory Public Meeting on June 3, 2008. After the public meeting, the applicant met with staff and developed new plans based on staff comments and concerns heard at the public meeting. The latest revision to the application was received on August 28, 2009. Given the significant changes made to the application, there is a need for further public notification and a second Public Meeting. The second statutory Public Meeting on November 2, 2009 is intended to ensure that updated information is communicated to Council, the public and agencies for comments.

Location

The subject site is a 23.114 hectare parcel located on the south side of Clair Road East, east of the intersection of Gordon Street and Clair Road East.

The area surrounding the subject site consists of a residential subdivision (Westminster Woods) to the north across Clair Road East, rural residential estate

lots to the east, agricultural and environmentally sensitive lands to the south and a draft approved subdivision to the west of the site, consisting of commercial and medium density residential lands (Pergola, 23T-03507). (See Location Map on **Schedule 1**).

Official Plan Designation

The existing Official Plan land use designations that apply to the subject lands are "General Residential," "Core Greenlands" and "Non-Core Greenlands Overlay". The relevant Official Plan Land Use Map and policies are included in **Schedule 2**.

Existing Zoning

The subject lands are currently zoned UR (Urban Reserve) and WL (Wetlands) in Guelph's Zoning By-law (1995)-14864 and zoned A (Agriculture) and H (Hazard) in the Township of Puslinch Zoning By-law (see **Schedule 3**).

REPORT

Description of Proposed Zoning Bylaw Amendment

To implement the proposed Draft Plan of Subdivision, the owner wishes to rezone the subject property from the UR (Urban Reserve), WL (Wetlands), A (Agriculture) and H (Hazard) zones to the following zones:

Zone	Land Use	Lot/Block #
R.1C	Single Detached Residential (12m frontage)	72-87
R.1C-??	Specialized Single Detached Residential (to allow coach houses)	41-53
R.1D	Single Detached Residential (9m frontage)	1-21, 35-40, 54-71
R.2	Semi-detached Residential	22-34
R.3A	Cluster Townhouse	98
R.3B	On-Street Townhouse	88-97
R.4A	Apartment	99 & 100
P.2	Neighbourhood Park	101
P.1	Stormwater Management	102 & 103
P.1	Conservation Lands	104 & 105

The proposed zoning concept is provided in **Schedule 4**. The corresponding lot or block number is shown in the proposed Draft Plan of Subdivision in **Schedule 5**.

Description of Proposed Plan of Subdivision

The application is a request to subdivide the subject property in accordance with the draft plan of subdivision attached in **Schedule 5**.

This is the second submission of plans for this application. The first submission (in May, 2008) consisted of a total of 313 residential units: 148 single detached, 24 on-street townhouse, 34 cluster townhouse, and 97 apartment units were proposed.

The revised proposed draft plan of subdivision contains a mix of residential units, a park, and lands dedicated to storm water management and conservation. A total of 413 residential units are proposed, comprised of 74 single detached, 26 semi-detached, 55 on-street townhouse, 45 cluster townhouse, and 213 apartment units. Approximately 8.3 hectares of the site are proposed to remain as conservation lands, located around the east, south, and western edges of the site.

Details of the proposed subdivision are included in **Schedule 6**.

The density of the proposed subdivision, as calculated under "Places to Grow", is approximately 71 persons per hectare.

Supporting Documents

The first plan submitted for this application was supported by the following studies:

1. Preliminary Servicing and Stormwater Management Report. Prepared by K.J. Behm & Associates. September 2007.
2. Environmental Impact Statement. Prepared by Stantec Consulting Ltd. October 2007.
3. Hydrogeological Assessment. Prepared by Stantec Consulting Ltd. October 2007.
4. Traffic Impact Study. Prepared by Paradigm Transportation Solutions. February 2008.

The applicant has submitted the following studies with the revised plans:

1. Preliminary Servicing and Stormwater Management Report, prepared by K.J. Behm & Associates Inc. August 2009.
2. Hydrogeological Assessment, prepared by Stantec Consulting. August 2009.
3. Environmental Impact Study Addendum Report prepared by Stantec Consulting. August 2009.
4. General Tree Inventory prepared by Stantec Consulting. August 2009.

Staff Review

The review of this application will address the following issues:

-
- Review criteria outlined in Section 51(24) of The Planning Act (subdivision control).
 - Evaluation of the proposal against the General Residential, Core Greenlands and Non-Core Greenlands policies of the Official Plan.
 - Evaluation of the proposal against the Provincial Policy Statement and the Places to Grow legislation.
 - Review of the proposed zoning and need for specialized zones.
 - Review timing in relation to the Development Priorities Plan and phasing policy
 - Review of proposed site layout and energy consumption in relation to the Community Energy Plan.

Staff review will also address issues raised at the first public meeting, including:

- Location of the stormwater management ponds
- Building heights and expected interface along Clair Road
- Status of truck routes
- Opportunities to connect to the south
- Removal of existing houses
- Whether the application is premature in context of recent and impending policy changes (Natural Heritage Strategy, Greenbelt expansion, community plan)
- Impact on the Paris/Galt Moraine
- Need for public access to the natural heritage features
- Possible opportunities to retain trees
- Need for alternative design standards
- Involvement of the Guelph Field Naturalists

Once the application is reviewed and all issues are addressed, a report from Community Design and Development Services with a recommendation will be considered at a future meeting of Council.

CORPORATE STRATEGIC PLAN

Urban Design and Sustainable Growth Goal #1: An attractive, well-functioning and sustainable City.

FINANCIAL IMPLICATIONS

Financial implications will be reported in the future Community Design and Development Services recommendation report to Council.

COMMUNICATIONS

The Notice of Public Meeting was circulated on October 6, 2009.

ATTACHMENTS

Schedule 1 – Location Map
Schedule 2 – Relevant Official Plan Designations and Policies
Schedule 3 – Existing Zoning
Schedule 4 – Proposed Zoning
Schedule 5 – Proposed Draft Plan of Subdivision
Schedule 6 – Details of Proposed Draft Plan of Subdivision

Original Signed by:

Prepared By:

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Recommended By:

R. Scott Hannah
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Original Signed by:

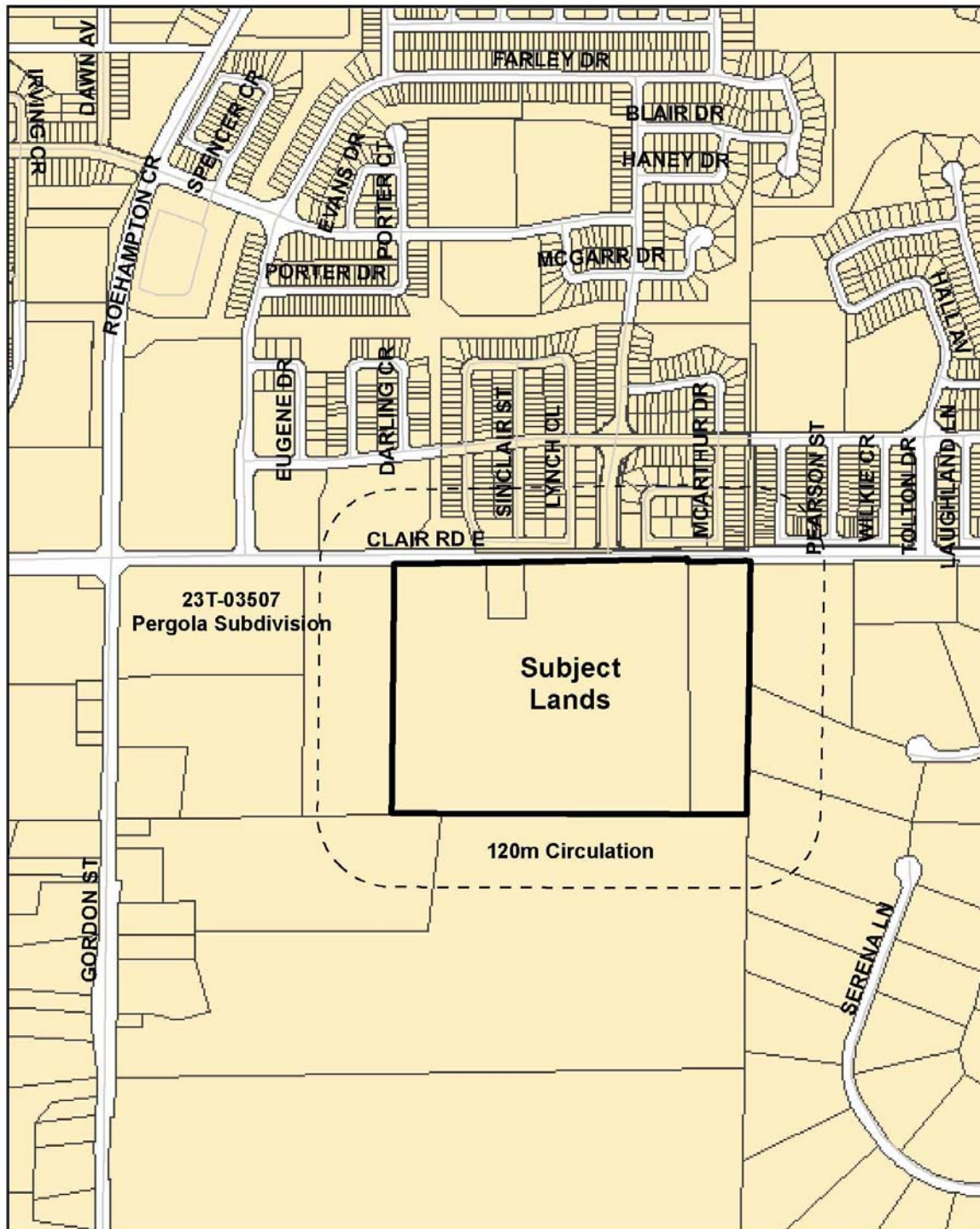
Recommended By:

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Info Report 2 (Katie N).doc

SCHEDULE 1

Location Map



This is a sample map for informational purposes only. It is not intended to be used as a legal document. The City of Guelph is not responsible for any errors or omissions in this map. For more information, please contact the City of Guelph at 519-825-5700.

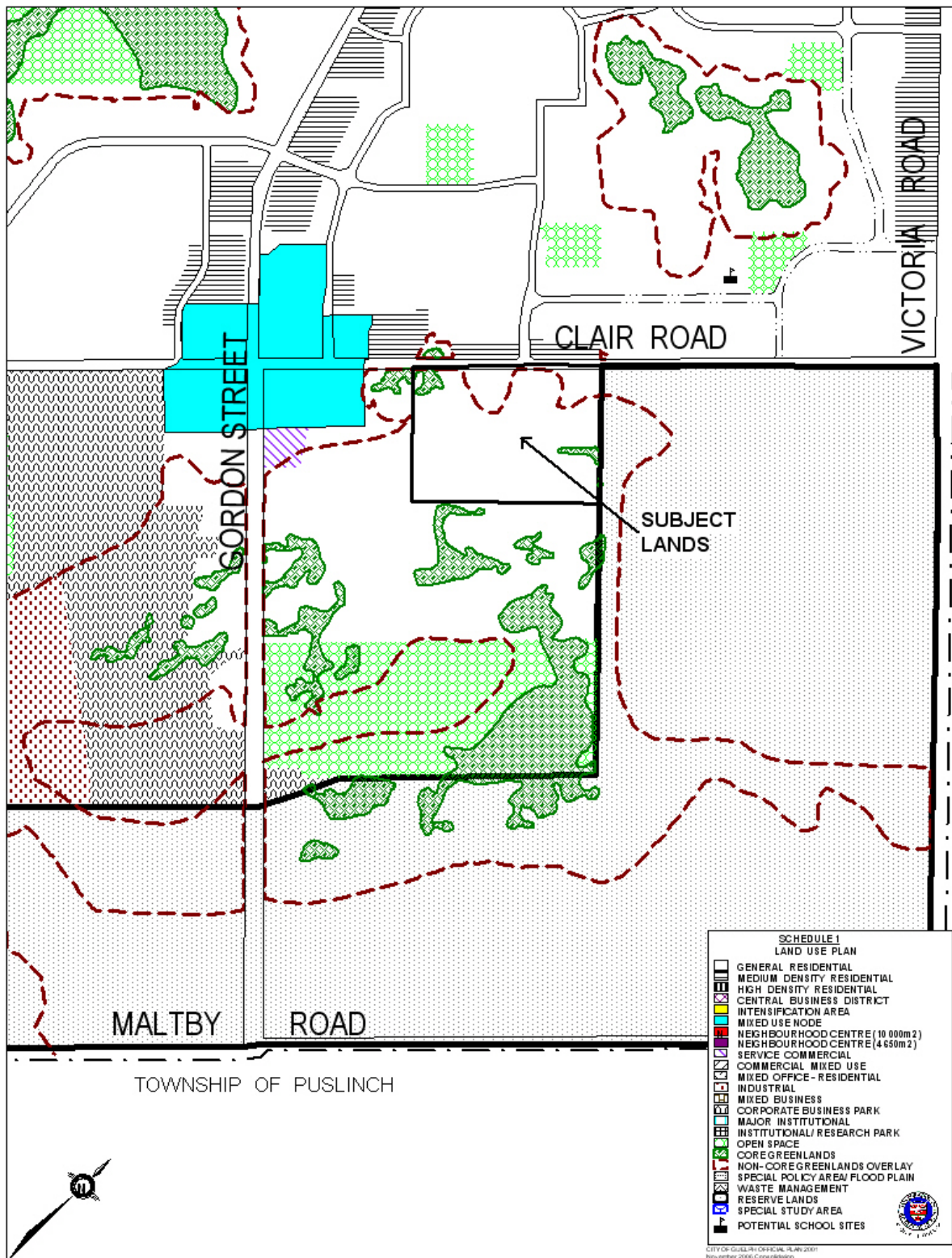


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Guelph
City of Guelph
Community Design & Development Services

SCHEDULE 2

Relevant Official Plan Designations and Policies



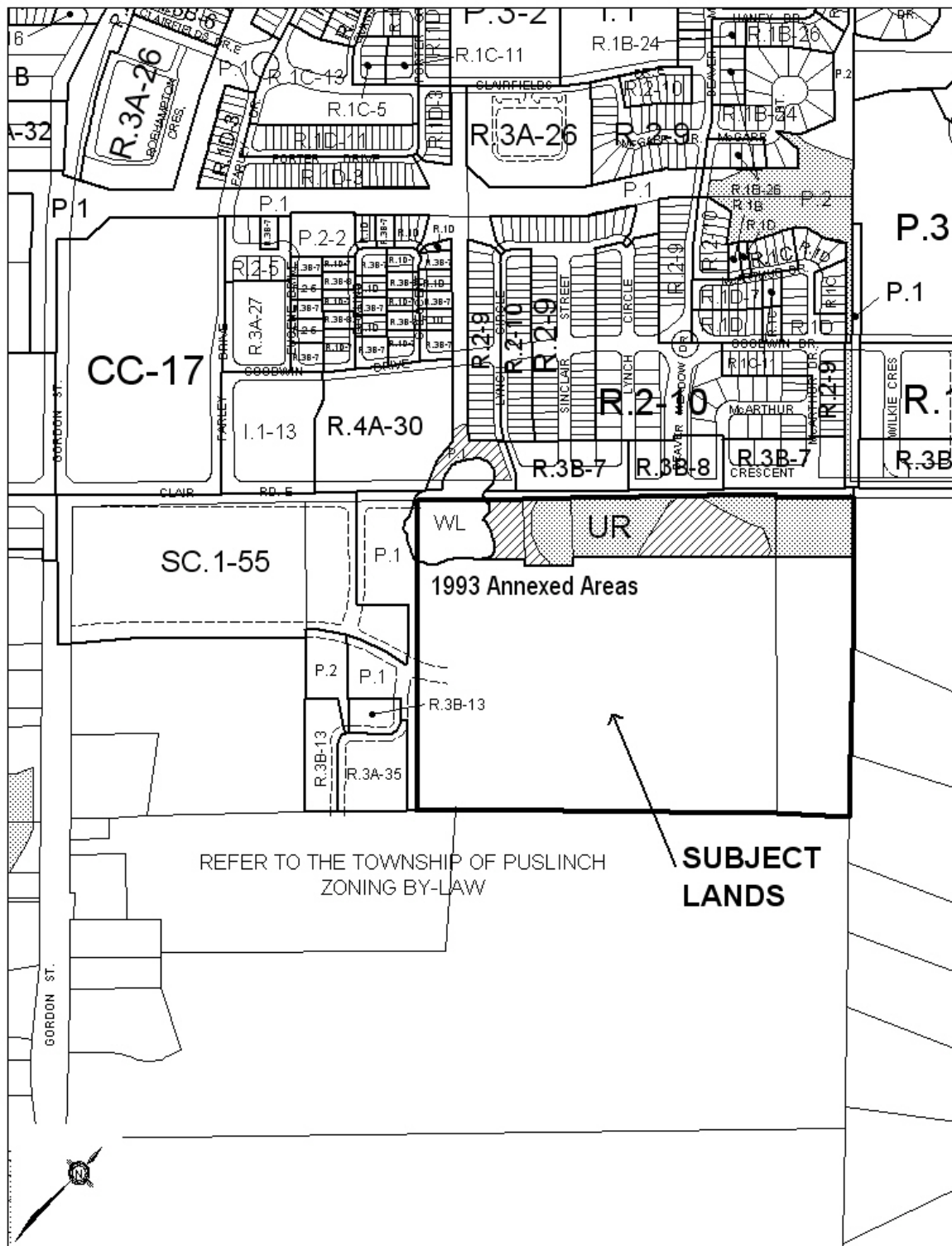
SCHEDULE 2 (continued)

Relevant Official Plan Designations and Policies

'General Residential' Land Use Designation

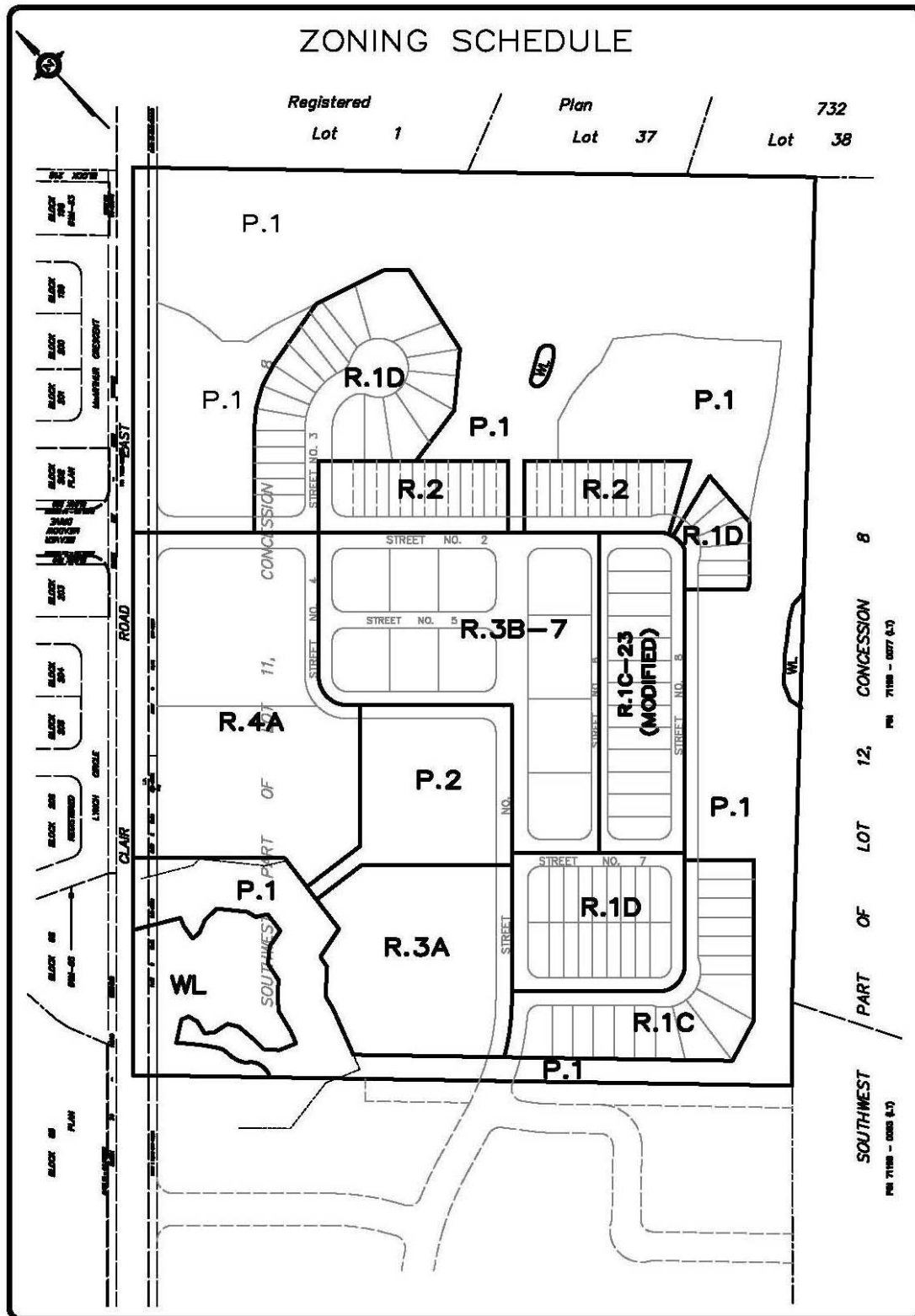
- 7.2.31 The predominant use of land in areas designated, as 'General Residential' on Schedule 1 shall be residential. All forms of residential *development* shall be permitted in conformity with the policies of this designation. The general character of development will be low-rise housing forms. *Multiple unit residential buildings* will be permitted without amendment to this Plan, subject to the satisfaction of specific development criteria as noted by the provisions of policy 7.2.7. Residential care facilities, *lodging houses*, *coach houses* and garden suites will be permitted, subject to the development criteria as outlined in the earlier text of this subsection.
- 7.2.32 Within the 'General Residential' designation, the *net density of development* shall not exceed 100 units per hectare (40 units/acre).
1. In spite of the density provisions of policy 7.2.32 the *net density of development* on lands known municipally as 40 Northumberland Street, shall not exceed 152.5 units per hectare (62 units per acre).
- 7.2.33 The physical character of existing established low density residential neighbourhoods will be respected wherever possible.
- 7.2.34 Residential lot *infill*, comprising the creation of new low density residential lots within the older established areas of the City will be encouraged, provided that the proposed *development* is compatible with the surrounding residential environment. To assess compatibility, the City will give consideration to the existing predominant zoning of the particular area as well as the general design parameters outlined in subsection 3.6 of this Plan. More specifically, residential lot *infill* shall be compatible with adjacent residential environments with respect to the following:
- a) The form and scale of existing residential development;
 - b) Existing building design and height;
 - c) Setbacks;
 - d) Landscaping and amenity areas;
 - e) Vehicular access, circulation and parking; and
 - f) Heritage considerations.
- 7.2.35 Apartment or townhouse *infill* proposals shall be subject to the development criteria contained in policy 7.2.7.

SCHEDULE 3 Existing Zoning

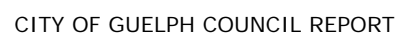


SCHEDULE 4

Proposed Zoning



Proposed Draft Plan of Subdivision



SCHEDULE 6

Details of Proposed Draft Plan of Subdivision

LAND USE	LOTS/BLOCKS	# OF UNITS	AREA
Single Detached Residential	Lots 1-21, 35-87	74	3.406 hectares
Semi-detached Residential	Lots 22-34	26	0.732 hectares
On-street Townhouses	Blocks 88 to 97	55	1.536 hectares
Medium Density Residential	Block 98	45	1.214 hectares
High Density Residential	Blocks 99 & 100	213	2.153 hectares
Park Site	Block 101	-	0.821 hectares
Storm Water Management	Blocks 102 & 103	-	1.873 hectares
Open Space	Blocks 104 & 105	-	8.305 hectares
Streets	-	-	3.074 hectares
TOTALS	-	413	23.114 hectares

CONSENT AGENDA

November 2, 2009

Her Worship the Mayor
and
Members of Guelph City Council.

SUMMARY OF REPORTS:

The following resolutions have been prepared to facilitate Council's consideration of the various matters and are suggested for consideration. If Council wishes to address a specific report in isolation of the Consent Agenda, please identify the item. The item will be extracted and dealt with immediately. The balance of the Consent Agenda will be approved in one resolution.

A Reports from Administrative Staff

REPORT	DIRECTION
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A-1) **1440-1448 GORDON STREET – Proposed Official Plan Amendment and Zoning By-law Amendment (File: OP0802/ZC0807 – Ward 6)**

Approve

THAT Report 09-77 regarding a proposed Official Plan Amendment and Zoning By-law Amendment to permit the development of an 87 unit apartment building applying to property municipally known as 1440-1448 Gordon Street, and legally described as Part Lot 7, Concession 8, City of Guelph, from Community Design and Development Services dated November 2, 2009, be received;

AND THAT the application (OP0802) by Astrid J. Clos Planning Consultants on behalf of 2177169 Ontario Inc. and 1284172 Ontario Inc. for an Official Plan Amendment from the "Medium Density Residential" Official Plan designation to the "High Density Residential" designation affecting the property at 1440-1448 Gordon Street, and legally described as Part Lot 7, Concession 8, City of Guelph, BE APPROVED, in the form outlined in SCHEDULE 2 of Community Design and Development Services report 09-77 dated November 2, 2009;

AND THAT the application (ZC0807) by Astrid J. Clos Planning Consultants on behalf of 2177169 Ontario Inc. and 1284172 Ontario Inc. for approval of a Zoning By-law Amendment from the current R.1B (Residential Single Detached) Zone to a new Specialized R.4B (High Density Apartment) Zone affecting the property municipally known as 1440-1448 Gordon Street and legally described as Part Lot 7, Concession 8, City of Guelph, BE APPROVED in accordance with the permitted uses, regulations and conditions provided in SCHEDULE 3 of Community Design and Development Services report 09-77 dated November 2, 2009;

AND THAT the request by 2177169 Ontario Inc. and 1284172 Ontario Inc. to demolish the detached dwelling located on the property municipally known as 1440 Gordon Street be approved;

AND THAT the request by 2177169 Ontario Inc. and 1284172 Ontario Inc. to demolish the detached dwelling located on the property municipally known as 1448 Gordon Street be approved;

AND THAT in accordance with Section 34 (17) of the Planning Act, City Council has determined that no further public notice is required related to the minor modifications to the proposed zoning by-law amendment affecting 1440 and 1448 Gordon Street as set out in Report 09-77 from Community Design and Development Services dated November 2, 2009.

A-2) **CEDARVALE/CITYVIEW SUBDIVISION – Request for an Extension of Draft Plan Approval (23T-98501 – Ward 1)**

Approve

THAT Report 09-88 regarding a request for the extension of the Draft Plan Approval for the Cedarvale/Cityview Subdivision (23T-99501) from Community Design and Development Services, dated November 2, 2009, be received;

AND THAT the application by Black, Shoemaker, Robinson and Donaldson Limited for a three (3) year extension to the Draft Plan Approval of the Cedarvale/Cityview Subdivision (23T-99501) applying to lands legally described as Part of Lots 30 and 33, Registered Plan 53, City of Guelph, be approved for a three (3) year period to an extended lapsing date of November 21, 2012, subject to the conditions outlined in Schedule 3 of the Community Design and Development Services Report 09-88 dated November 2, 2009.

A-3) **NEW SERVICE AGREEMENT WITH CLEARING AND DEPOSITORY SERVICES INC. (CDS)**

Approve

THAT the Mayor and Clerk be authorized to sign the "*Book Entry Only Securities – Services Agreement*" and any associated documents with CDS Clearing and Depository Services Inc ("CDS").

AND THAT a by-law be approved requiring a bond of indemnification from CDS as a condition of issuing replacement debentures.

AND THAT a by-law be approved authorizing the entering into of the *Book Entry Only Securities – Services Agreement*.

A-4) **DEBENTURE ISSUE**

Approve

THAT Council authorize the list of projects contained in Appendix 1 to be funded by debenture issue;

AND THAT the City Treasurer be authorized to proceed with the marketing through the City's fiscal agent, of a debenture issue in the principal aggregate amount of \$24,870,000 dated 23 November, 2009 for a term not exceeding ten years.

A-5) **HANLON EXPRESSWAY WATERMAIN AND UTILITIES,
CONTRACT #02-0962**

Approve

THAT the tender of Xterra Construction Inc be accepted and that the Mayor and Clerk be authorized to sign the agreement for Contract 02-0926 for the Hanlon Expressway Watermain, for a total tendered price of \$1,699,227.08 with actual payment to be made in accordance with the terms of the contract.

B ITEMS FOR DIRECTION OF COUNCIL

C ITEMS FOR INFORMATION OF COUNCIL

attach.

COUNCIL REPORT

TO **Guelph City Council**

SERVICE AREA Community Design and Development Services
DATE November 2, 2009

SUBJECT **1440-1448 Gordon Street: Proposed Official Plan
Amendment and Zoning By-law Amendment (File:
OP0802/ZC0807) – Ward 6**

REPORT NUMBER 09-77

RECOMMENDATION

"THAT Report 09-77 regarding a proposed Official Plan Amendment and Zoning By-law Amendment to permit the development of an 87 unit apartment building applying to property municipally known as 1440-1448 Gordon Street, and legally described as Part Lot 7, Concession 8, City of Guelph, from Community Design and Development Services dated November 2, 2009, BE RECEIVED".

THAT the application (OP0802) by Astrid J. Clos Planning Consultants on behalf of 2177169 Ontario Inc. and 1284172 Ontario Inc. for an Official Plan Amendment from the "Medium Density Residential" Official Plan designation to the "High Density Residential" designation affecting the property at 1440-1448 Gordon Street, and legally described as Part Lot 7, Concession 8, City of Guelph, BE APPROVED, in the form outlined in SCHEDULE 2 of Community Design and Development Services report 09-77 dated November 2, 2009; and

THAT the application (ZC0807) by Astrid J. Clos Planning Consultants on behalf of 2177169 Ontario Inc. and 1284172 Ontario Inc. for approval of a Zoning By-law Amendment from the current R.1B (Residential Single Detached) Zone to a new Specialized R.4B (High Density Apartment) Zone affecting the property municipally known as 1440-1448 Gordon Street and legally described as Part Lot 7, Concession 8, City of Guelph, BE APPROVED in accordance with the permitted uses, regulations and conditions provided in SCHEDULE 3 of Community Design and Development Services report 09-77 dated November 2, 2009; and

THAT the request by 2177169 Ontario Inc. and 1284172 Ontario Inc. to demolish the detached dwelling located on the property municipally known as 1440 Gordon Street BE APPROVED; and

THAT the request by 2177169 Ontario Inc. and 1284172 Ontario Inc. to demolish the detached dwelling located on the property municipally known as 1448 Gordon Street BE APPROVED; and

That in accordance with Section 34 (17) of the Planning Act, City Council has determined that no further public notice is required related to the minor modifications to the proposed zoning by-law amendment affecting 1440 and 1448 Gordon Street as set out in Report 09-77 from Community Design and Development Services dated November 2, 2009."

BACKGROUND

An application for an Official Plan and Zoning By-law amendment has been received for the property at 1440-1448 Gordon Street to allow the development of a four storey, 87 unit apartment building. The statutory Public Meeting was held by City Council on March 2, 2009. At this meeting, Council received staff information Report 09-18 that provided background information on this application.

Location

The subject site consists of 0.7 hectares of land located south of Arkell Road on the east side of Gordon Street. There are currently two detached dwellings situated on the subject lands. The site is bounded by Upper Grand District School Board lands to the north and east, existing detached dwelling residential development to the east, Pine Ridge Park and existing commercial/office/residential development to the south and Gordon Street to the west (see Location Map on **Schedule 1**).

Official Plan Designation

The subject lands are designated "Medium Density Residential" in the Official Plan. The proposal requests a "High Density Residential" designation on the subject lands. The Official Plan designations and relevant policies for lands designated for medium and high density residential are included in **Schedule 4**.

Existing Zoning

The subject site is currently zoned R.1B (Residential Single Detached) Zone. The following uses are permitted within the R.1B Zone:

- Single Detached Dwelling
- Accessory Apartment in accordance with Section 4.15.1
- Bed and Breakfast establishment in accordance with Section 4.27
- Day Care Centre in accordance with Section 4.26
- Group Home in accordance with Section 4.25
- Home Occupation in accordance with Section 4.19
- Lodging House Type 1 in accordance with Section 4.25

REPORT

Description of Official Plan Amendment

The subject site's current "Medium Density Residential" Official Plan designation is intended for multiple unit residential buildings, such as townhouses, row dwellings and walk-up apartments at a minimum net density of 20 units per hectare and a maximum net density of 100 units per hectare (see **Schedule 4**). The applicant is requesting an Official Plan Amendment to redesignate the subject lands to the "High Density Residential" land use designation to permit the development of an 87 unit residential apartment building. Notwithstanding that the "High Density Residential" designation stipulates a minimum net density of 100 units per hectare

and a maximum net density of 150 units per hectare, the application is proposing a site specific Official Plan Amendment to establish a minimum net density of 120 units per hectare and maximum net density of 130 units per hectare on the subject lands (see **Schedule 2**). The actual development of 87 apartment dwellings on the site would result in a net density of 126 dwelling units per hectare.

Description of Proposed Zoning Bylaw Amendment

The applicant proposes to amend the zoning on the subject property from the existing R.1B (Residential Single Detached) Zone to a Specialized R.4B (High Density Apartment) Zone to implement the proposed "High Density Residential" Official Plan designation (see **Schedule 5**). The zone change application includes the incorporation of the following specialized zoning regulations:

- to require a minimum density of 120 units per hectare;
- to permit a maximum density of 130 units per hectare;
- to permit a maximum building height of 4 storeys;
- to permit a minimum front yard setback of 3 metres, where the zoning by-law requires 6 metres;
- to permit a minimum side yard of 6 metres, where the zoning by-law requires a minimum side yard of 7.5 metres where windows to a habitable room face onto a side yard;
- off-street parking to be provided at a minimum of 1.25 spaces per dwelling unit;
- to require that a minimum of 55% of the required parking spaces be provided underground;
- to require that a minimum building face length of 32 metres be located within a 15 metre front yard setback (build-to line) and that a portion of the building shall be located at a front yard setback between 3 metres and 6 metres;
- to permit a minimum common amenity area of 900 square metres, where the zoning by-law requires a minimum of 1,920 square metres.

Proposed Development Concept

The proposed development concept, as shown on **Schedule 6**, consists of 87 apartment units in a four storey building. One vehicular access is proposed from Gordon Street at the northerly end of the site. The location of this access has been designed to facilitate a possible connection to the Upper Grand District School Board owned lands to the east, which can provide the opportunity to implement a common access point in conjunction with the potential future development of these adjacent lands. A total of 113 parking spaces are proposed, with 65 provided in an underground parking garage and 48 spaces provided at grade. The site design also includes landscaped buffer strips along the eastern and southern property boundaries and approximately 907 square metres of common amenity areas. The proposed development has a floor space index (FSI) of 1.3.

The current development concept illustrated on **Schedule 6** includes minor revisions from the initial concept presented at the March 2, 2009 Public Meeting

(see **Schedule 8**), which were made in response to staff comments. The modifications to the site design include the removal of the one site access from Gordon Street and a 2.5 storey building addition containing one dwelling unit along the Gordon Street frontage. The applicant has also submitted the conceptual building design on **Schedule 7** to illustrate the visual appearance of this addition along the Gordon Street frontage.

Staff Review

There were no public concerns with the proposed application expressed at the March 2, 2009 Public Meeting. Letters of objection were received following the public meeting from residents within the Pine Ridge Subdivision to the west of the subject site (see **Schedule 9**). The comments were generally related to issues regarding the compatibility of the proposed apartment building with surrounding development, traffic and noise impacts, and concerns with increased crime within Pine Ridge Park. The subsequent Planning Analysis section of this report provides Planning staff's response to these and the following additional issues identified through the application review process:

- Evaluation of the proposal against the relevant policies of the Official Plan;
- Consideration of the merits of the Official Plan Amendment (Section 9.3 of Official Plan attached in **Schedule 4**);
- Site design and compatibility with adjoining land uses;
- Evaluation of the proposal against the Provincial Policy Statement and the Places to Grow legislation;
- Review of the proposed zoning;
- Community Energy Plan conformity;
- Demolition of the two existing detached dwellings; and
- Investigation of the need to implement public access through the site to provide connectivity between Gordon Street and Pine Ridge Park to the east of the subject site.

Planning Analysis

Section 9.3 of the Official Plan provides criteria for Council to consider in evaluating proposed amendments to the Official Plan (see **Schedule 4**). This proposed Official Plan amendment satisfies the criteria of Section 9.3, as outlined below:

a) *The conformity of the proposal to the goals and objectives of the Official Plan*

Staff Comment: The subject property's current Medium Density Residential designation permits multiple unit residential buildings, including walk-up apartments to a maximum density of 100 units per hectare. The Official Plan amendment application to permit the development of an 87 unit apartment building at a residential density of 126 units per hectare is appropriate for the subject site, which is identified as an area for residential intensification in the City of Guelph Local Growth Management Strategy. Official Plan Amendment #39 has been recently adopted by Council to implement the City's Local Growth

Management Strategy. The application complies with the development criteria established in Sections 7.2.45 and 7.2.7 of the Official Plan for establishing a new high density residential use, as outlined below:

- i. the proposal is located in proximity to major employment, commercial and institutional activities along the Gordon Street corridor;
- ii. the proposal is located along an arterial road;
- iii. the proposed building form, massing, appearance and siting are compatible in design, character and orientation with buildings in the immediate vicinity;
- iv. the proposed development can be adequately served by local convenience and neighbourhood shopping facilities, schools, parks, recreational facilities and public transit;
- v. vehicular traffic generated from the proposal can be accommodated appropriately and sufficient off-street parking, circulation and access can be provided; and
- vi. adequate municipal infrastructure, services and amenity areas for the residents can be provided.

b) Suitability of the site for the proposed use

Staff Comment: The subject site is suitable to accommodate the proposed 87 unit apartment building, providing appropriate access and sufficient off-street parking. The site provides 77 metres of frontage along a major arterial road and transit route and is in a good location to serve new residential development. The site is within easy walking distance to a full range of land uses, including recreational facilities and open space within the adjacent Pine Ridge Park, convenience and neighbourhood commercial services, as well as employment and institutional uses.

c) Compatibility of the proposed use with adjacent land use designations

Staff Comment: The proposed residential apartment building is compatible with the mix of designated land uses along the Gordon Street corridor, which include the adjacent Upper Grand District School Board lands (former Brock Road Public School site) to the north and east that are designated "General Residential" in the Official Plan and are likely to be redeveloped, and the adjacent commercial and office plaza to the south at 1456 Gordon Street that is designated "Mixed Office-Residential" in the Official Plan. This proposal is not anticipated to generate any compatibility concerns with future development or redevelopment opportunities within the adjacent Medium Density designated lands. The proposed four storey apartment building is oriented towards Gordon Street and the scale and height of this development is considered to be compatible with existing low rise residential uses in the area. A specialized zoning regulation is proposed in **Schedule 3** to limit the height of the proposed building to a maximum of 4 storeys. Site Plan Approval will be required to ensure that the site is developed appropriately and meets the urban design and compatibility criteria outlined in the Official Plan.

d) The need for and market feasibility of the proposed use

Staff Comment: The subject site is currently designated “Medium Density” Residential in the Official Plan and is intended for the development of multiple unit residential buildings, which include walk-up apartments. The proposed redesignation of the site to “High Density” Residential will provide increased residential density on underutilized lands and provide a greater range of housing types in the area to meet the diverse demands of the community. In addition, the proposal will contribute to meeting the intensification target of “Places to Grow” policy that stipulates that at least 40% of new residential units shall be located within the built-up area by 2015.

e) The extent to which the existing areas of the City designated for the proposed use are developed or are available for development.

Staff Comment: Currently there are no lands along the Gordon Street corridor that are designated “High Density” Residential in the Official Plan. The proposed redesignation of the subject site from “Medium Density” Residential to “High Density” Residential is appropriate to accommodate the development of a four storey, 87 unit apartment building that incorporates underground parking within a fully functional and attractive site design. This area along Gordon Street is identified as a residential intensification corridor in the City of Guelph Local Growth Management Strategy and the proposed development is considered an appropriate form of intensification in conformity with the locational criteria for high density residential uses as set out in the Official Plan.

f) The impact of the proposed use on services and financial implications to the City.

Staff Comment: The proposal represents a cost-effective, compact form of development that will make effective use of existing services and infrastructure.

Public Comments

Residents within the Pine Ridge Subdivision have expressed concerns with the proposed development, stating that the apartment building is incompatible with surrounding development and that this development will result in an increase of noise and crime within Pine Ridge Park. The location, scale and design of the proposed apartment building are not anticipated to have any adverse impacts on the existing residents within the Pine Ridge Subdivision. The proposed apartment building is oriented to the west along Gordon Street and is located a substantial distance from these residential properties. The nearest property within the Pine Ridge Subdivision to the subject site is over 120 metres away. In terms of impact on the adjacent Pine Ridge Park, the introduction of additional residential units in this location can further improve informal surveillance of the adjacent parkland by encouraging “eyes on the park” to enhance security and better integrate the park with new residential development along Gordon Street. In response to resident’s stated concerns that this development will be student rental apartment building, it is noted that the owner proposes this development as a condominium project, where the individual residential units will be under separate ownership.

Urban Design

The development concept shown in **Schedule 6** represents an appropriate and functional site design for the development of the proposed four storey, 87-unit apartment building with associated underground parking. **Schedule 7** illustrates a preliminary design sketch for the proposed apartment building. The applicant has worked with staff to develop a development concept that meets City site design requirements and urban design guidelines. In particular, the plan has been revised to provide increased building massing and presence along Gordon Street. A specialized zoning regulation is included within **Schedule 3** to establish a minimum building face length of 32 metres within a 15 metre front yard setback from Gordon Street. An additional specialized zoning regulation recommended is the requirement that a minimum of 55% of the required off-street parking be provided underground. This regulation would implement the current development concept illustrated in **Schedule 6** that includes 65 underground parking spaces, which minimizes the visual impact of surface parking areas on the site and provides increased residential density. The specialized zoning regulation to reduce the required amenity space from 1920 square metres to 900 square metres is appropriate given that the subject site is located adjacent to Pine Ridge Park. Condition 1a in **Schedule 2** will require the owner to develop the project in general accordance with the concept plan and building elevations shown on **Schedule 6** and **Schedule 7**. The final site design would be established through the formal site plan approval process to secure specific urban design and architectural details. This will ensure that a high quality of design is implemented that is complementary and compatible with adjacent properties and provides attractive streetscaping along the Gordon Street corridor.

Pedestrian Connections

The review of this application also included investigating the need to provide a pedestrian connection between Gordon Street and the adjacent Pine Ridge Park to the east. The implementation of a pedestrian walkway on the subject site is not considered appropriate in association with this application. Access to the park from Gordon Street is currently provided from Lowes Road, approximately 150 metres south of the subject site. In addition, improved opportunities to provide an additional pedestrian connection to the park from Gordon Street could be examined further in conjunction with any future redevelopment plans of the adjacent Upper Grand District School Board lands to the north and east of the subject site. Concerns have also been identified with establishing a pedestrian walkway along the southern boundary of the site to connect Gordon Street to Pine Ridge Park given the proximity of the proposed apartment building to the southern property line (see **Schedule 6**). The location of a walkway on the site would be through a narrow corridor created by the proposed apartment building to the north and the existing commercial plaza to the south on the adjacent property at 1460 Gordon Street, which would limit the visibility of the walkway and create potential safety issues. Issues of compatibility are also recognized with locating a pedestrian walkway adjacent to the southerly building face of the apartment building. Based on this assessment, staff have determined that receiving cash-in-lieu of parkland, as opposed to having land dedicated for a walkway is the preferred option in this situation. The owner's requirement to provide cash-in-lieu of parkland is outlined in Condition 15 on **Schedule 2**.

Planning Staff Recommendation

Staff support the proposed Official Plan Amendment and Zoning By-law Amendment application subject to the recommended permitted uses, regulations and conditions outlined in **Schedule 3**. The application provides the opportunity to introduce a higher density residential apartment use along the Gordon Street corridor, identified as an area for residential intensification in the City of Guelph Local Growth Management Strategy. This proposal is also an example of the type and form of development that is expected under the Places to Grow policy because it is located within an identified intensification area along the Gordon Street corridor within the built-up area of the City; it provides a greater mix of housing types in the neighbourhood; and the site's location provides convenient access to transit and employment opportunities within the area. This application will not limit opportunities for potential redevelopment of adjacent properties along Gordon Street or destabilize the functioning of these lands. The redesignation of the subject site to the "High Density Residential" Official Plan Designation is appropriate, as the application meets the criteria established in Section 9.3 of the Official Plan for the consideration of Official Plan amendments.

The request to demolish the two single detached dwellings at 1440 and 1448 Gordon Street is supported and included within the staff recommendation to accommodate the proposed development. It is noted that these two dwellings are not listed on the City's Inventory of Heritage Properties.

Minor Application Revisions

The revisions that have been made to the application since the March 2, 2009 Public meeting are considered minor, and therefore staff are recommending to Council that no further public notice is required in accordance with Section 34(17) of the Planning Act. These changes relate to the incorporation of specialized zoning regulations in **Schedule 3** to implement the applicant's revised concept plan shown on **Schedule 6**. Revisions include the addition of the maximum front yard setback (build-to line) provision to establish the building along the street, incorporating an off-street parking ratio of 1.25 parking spaces per unit with 55% of the required parking to be provided underground, and establishing the density range between 120 units per hectare and 130 units per hectare to recognize the proposed 87 unit apartment building with limited flexibility in the number of units that could be developed.

CORPORATE STRATEGIC PLAN

Urban Design and Sustainable Growth Goal #1: An attractive, well-functioning and sustainable City.

COMMUNITY ENERGY PLAN (CEP)

The proposed development will contribute towards implementing the Community Energy Plan in recognition that it satisfies many of the objectives and policies outlined in Section 3.8 of the Official Plan that promote energy conservation. The application supports Official Plan policy that encourages the promotion of a compact urban form and development of an energy efficient pattern and mix of land use. The proposed apartment building represents infill development on underutilized

lands and will provide residential intensification that will contribute to the reduction of energy used for municipal services and transportation. The applicant has also submitted a letter outlining some additional energy efficiency initiatives that are proposed in association with the construction of the building (see **Schedule 10**). Condition 16 has been included in **Schedule 2** to ensure that the owner does submit written confirmation that the building is constructed to a standard that implements energy efficiency in support of the Community Energy Plan.

FINANCIAL IMPLICATIONS

Based on a total of 87 residential apartment units:

Population Projections

- 147 persons ("Places to Grow" density calculation)

Projected Taxation

- \$261,000 (estimated at \$3,000 per unit)

Development Charges

- \$559,497

DEPARTMENTAL CONSULTATION

The public and agency comments received during the review of the application are included on **Schedule 9**.

ATTACHMENTS

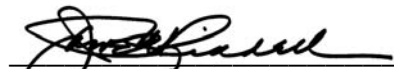
Schedule 1 – Location Map
Schedule 2 – Official Plan Amendment
Schedule 3 – Regulations and Conditions
Schedule 4 – Existing Official Plan Designations and Relevant Policies
Schedule 5 – Existing and Proposed Zoning
Schedule 6 – Proposed Development Concept
Schedule 7 – Conceptual Apartment Building Design
Schedule 8 – Initial Development Concept proposed at Public Meeting (March 2/09)
Schedule 9 – Circulation Comments
Schedule 10 – Applicant's CEP Conformity Letter
Schedule 11 – Public Notification Summary

Original Signed by:

Original Signed by:

Prepared By:

Chris DeVriendt
Senior Development Planner



Recommended By:

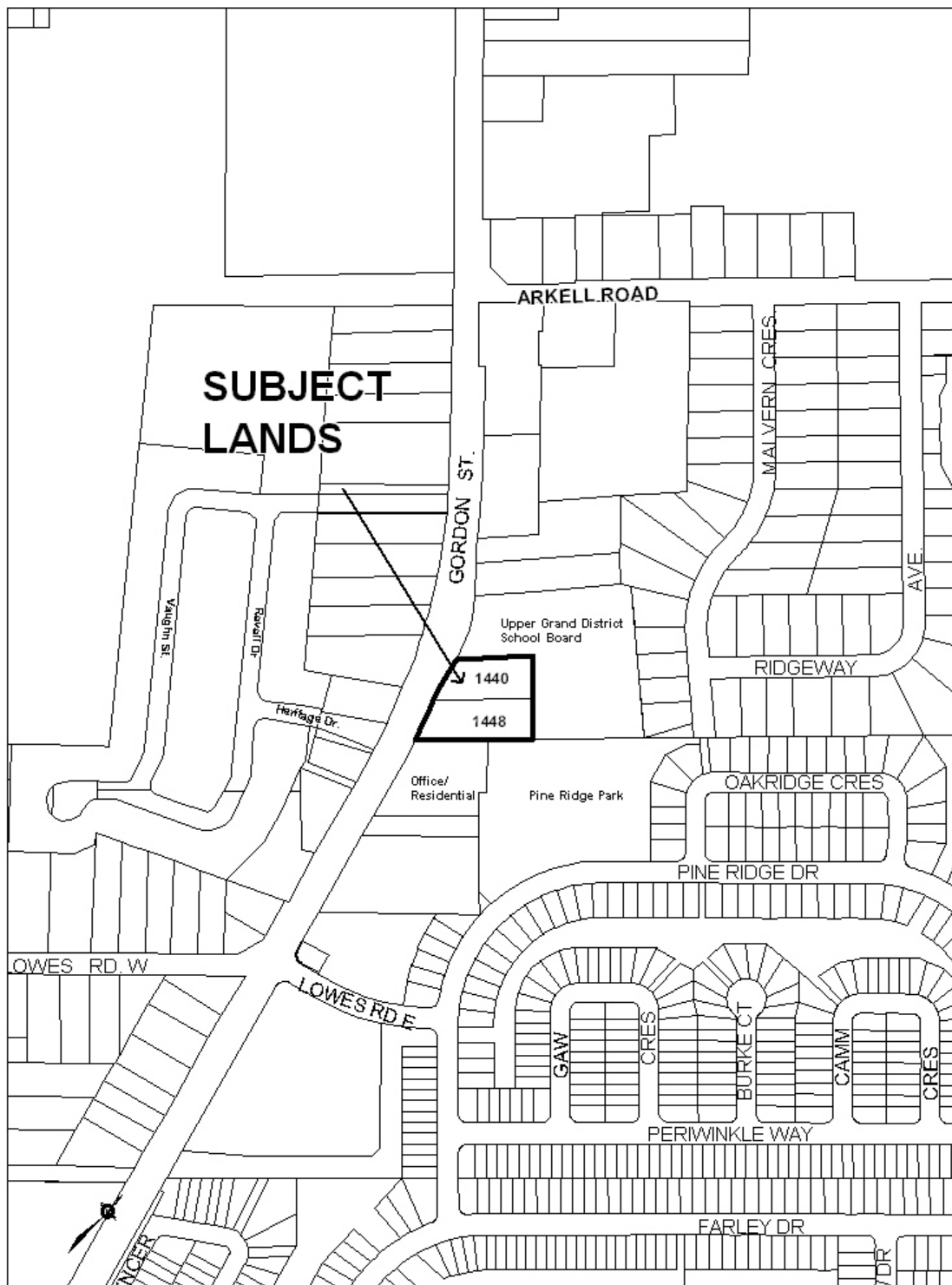
Jim Riddell
Director of Community Design and
Development Services

Recommended By:

R. Scott Hannah
Manager of Parks and Development
Planning

SCHEDULE 1

Location Map



SCHEDULE 2

Proposed Official Plan Amendment

Amend Schedule 1, Land Use Plan of the Official Plan by changing the land use designation of the property municipally known as 1440 and 1448 Gordon Street, legally described as Part Lot 7, Concession 8, City of Guelph from the current “Medium Density Residential” to “High Density Residential”.

Amend the text of the Official Plan to add the following new site specific policy to Official Plan Policy 7.2 (Residential) that apply to lands municipally known as 1440–1448 Gordon Street:

“In spite of the maximum density provisions of Policy 7.2.43., net density of residential development on the lands known municipally as 1440-1448 Gordon Street shall not occur at a net density of less than 120 units per hectare and shall not exceed a net density of 130 units per hectare”.

SCHEDULE 3

Regulations and Conditions

Specialized R.4B-? Zone

Permitted Uses

In accordance with the uses permitted by Section 5.4.1.1. (General Apartment Zone)

Regulations

In accordance with Section 4 (General Provisions) and Section 5.4.2 and Table 5.4.2 (High Density Apartment R.4B Zone Regulations) of Zoning By-law (1995)-14864, as amended, with the following additions and exceptions:

Minimum Density

120 units per hectare

Maximum Density

130 units per hectare

Maximum Building Height

4 storeys

Minimum Side Yard

6 metres

Minimum Common Amenity Area

900 square metres

Minimum Front Yard Setback

3 metres

Maximum Front Yard Setback (Build-to Line)

A minimum building face length of 32 metres is required to be located within a 15 metre front yard setback and a portion of the building shall be located at a front yard setback between 3 metres and 6 metres.

Off-Street Parking

Despite Section 4.13.4, the minimum number of parking spaces shall be provided at a ratio of 1.25 parking spaces per dwelling unit.

Underground Parking

A minimum of 55% of the required parking shall be provided underground

Conditions

The following conditions are provided as information to Council and will be imposed through site plan approval:

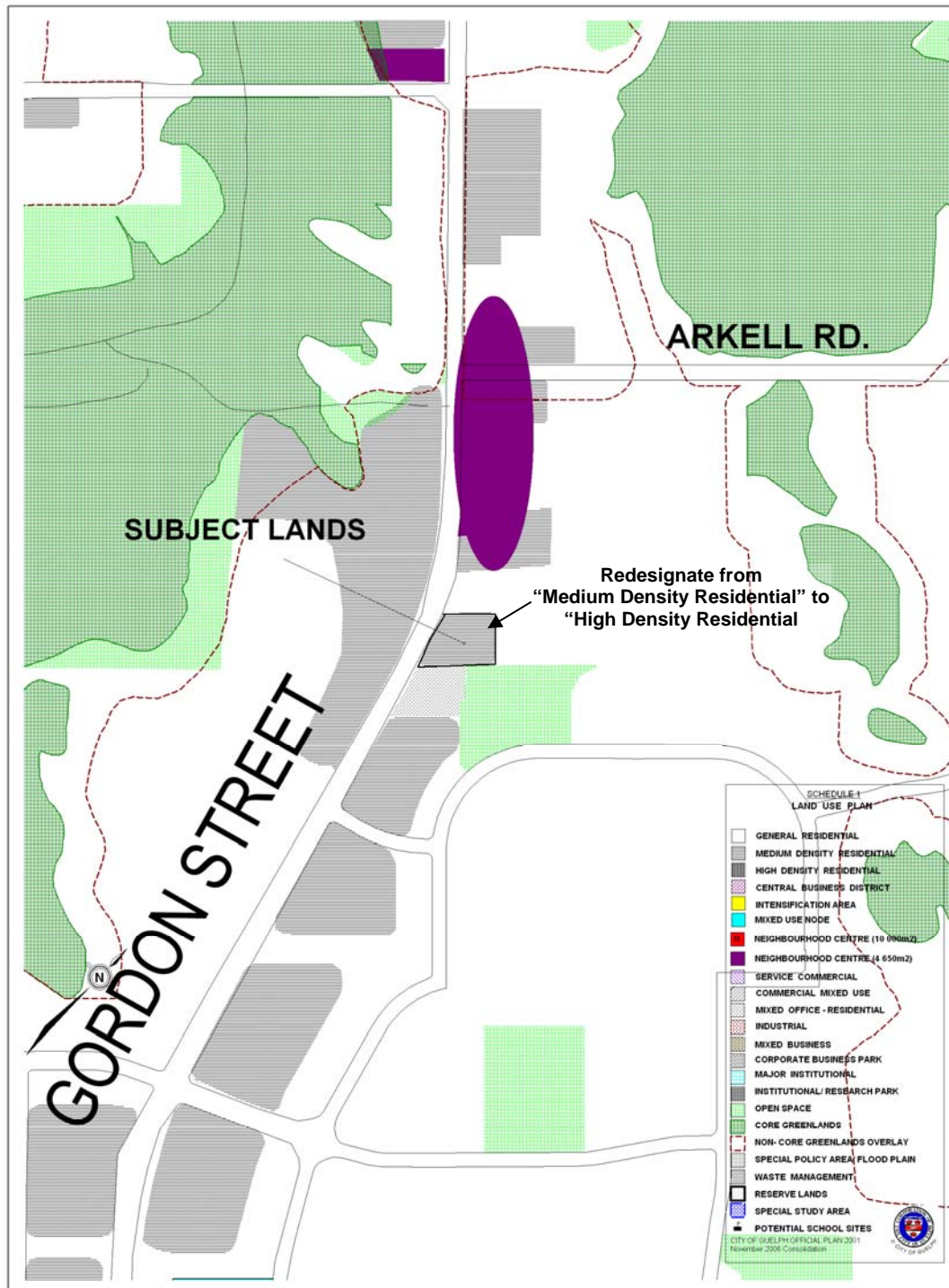
1. The Owner shall submit to the City, in accordance with Section 41 of The Planning Act, a fully detailed site plan, indicating the location of buildings, landscaping, parking, circulation, access, lighting, grading and drainage and servicing on the said lands to the satisfaction of the Director of Community Design 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 plan.
 - a. Further, the Owner commits and agrees that the details of the layout, elevations and design for development of the subject lands shall be generally in accordance with and conform to the Owner's concept plans attached as **Schedule 6** and **Schedule 7** to the November 2, 2009 Planning Staff Report Number 09-77 (Site Plan, prepared by Astrid J. Clos Planning Consultants, Project 0811, dated August 20, 2009).
2. Prior to site plan approval and prior to any construction or grading on the lands, the developer shall submit a detailed Stormwater Management Report and Plans to the satisfaction of the City Engineer which demonstrates how storm water will be controlled and conveyed.
3. The owner shall complete a tree 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.
4. That the developer 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 approved by the City and that it is functioning properly.
5. Prior to any development of the lands and prior to any construction or grading on the lands, the developer shall construct, install and maintain erosion and sediment control facilities, satisfactory to the City Engineer, in accordance with a plan that has been submitted to and approved by the City Engineer.
6. The developer shall pay to the City the actual cost of constructing and installing any service laterals required and furthermore, prior to site plan approval, the developer shall pay to the City the estimated cost of the service laterals, as determined by the City Engineer.
7. The owner shall pay to the City its share of the actual cost of constructing municipal services on Gordon Street across the frontage of the lands including roadworks, sanitary sewer, storm sewer, curb and gutter, catchbasins, sidewalks and street lighting as determined by the City Engineer. Furthermore, prior to site plan approval, the owner

shall pay to the City the estimated cost of the municipal services as determined by the City Engineer.

8. The owner shall pay to the City its share of the actual cost of constructing the Dynes SWM Pond as determined by the City Engineer. Furthermore, prior to site plan approval, the owner shall pay to the City the estimated cost of the Dynes SWM Pond as determined by the City Engineer.
9. Prior to any development of the lands, the developer shall pay the flat rate charge established by the City per metre of road frontage to be applied to tree planting for the said lands.
10. 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.
11. That all telephone and Cable TV service to the lands be underground and the developer shall enter into a servicing agreement with the appropriate service providers to provide for the installation of underground telephone service prior to development of the lands.
12. That the developer makes satisfactory arrangements with Union Gas for the servicing of the lands, as well as provisions for any easements and/or rights-of-way for their plants, prior to the development of the lands.
13. That all electrical services to the lands are underground and the developer shall make satisfactory arrangements with Guelph Hydro Electric Systems Inc. for the servicing of the lands, as well as provisions for any easements and/or rights-of-way for their plants, prior to the development of the lands.
14. That the developer shall pay development charges to the City in accordance with By-law Number (2009)-18729, 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 thereto.
15. That the applicant shall pay to the City cash-in-lieu of park land dedication in accordance with By-law (1989)-13410, as amended from time to time, or any successor thereof.
16. Prior to issuance of a building permit, the owner shall provide the City with written confirmation that the building on the subject site will be constructed to a standard that implements energy efficiency in order to support the Community Energy Plan in accordance with the letter provided by the Developer in Schedule 10 and to the satisfaction of the Director of Community Design and Development Services.
17. That the owner enters into a site plan control agreement with the City, registered on title, satisfactory to the City Solicitor, agreeing to satisfy the above-noted conditions and to develop the site in accordance with the approved plans and reports.

SCHEDULE 4

Existing and Proposed Official Plan Designations and Relevant Policies



SCHEDULE 4 (continued)

Relevant Official Plan Policies

'Medium Density Residential' Land Use Designation

7.2.36 The predominant use of land within areas designated as 'Medium Density Residential' on Schedule 1 shall be for *multiple unit residential buildings*, such as townhouses, row dwellings and walk-up apartments. It is not intended that housing forms such as *single detached* or *semi-detached* units shall be permitted. Residential care facilities and *lodging houses* may be permitted by the provisions of this Plan.

a) Within the Medium Density Residential designation at the northeast side of the intersection of York Road and Wyndham Street South, detached and semi-detached housing forms are permitted with frontage onto York Road, Wyndham Street South and Richardson Street provided that the overall density of development within the Medium Density Residential designation in this location complies with Section 7.2.38.

7.2.37 The 'Medium Density Residential' designation has been outlined on Schedule 1 in instances where there is a clear planning intent to provide for the following:

- a) Medium density housing forms in new growth areas to assist in providing opportunities for *affordable housing*;
- b) Greater housing densities that are supportive of transit usage adjacent to major roads forming the existing and future transit network;
- c) A variety of housing types and forms to be situated throughout all areas of the community; and
- d) Supportive of urban form objectives and policies to establishing or maintaining mixed-use nodes.

7.2.38 The *net density of development* shall be a minimum of 20 units per hectare (8 units/acre) and a maximum of 100 units per hectare (40 units/acre), except as provided for in policy 7.2.10.

7.2.39 Medium density residential *development* proposals shall generally comply with criteria established for *multiple unit residential buildings* in policy 7.2.7 of this Plan, and shall be regulated by the *Zoning By-law*.

7.2.40 In addition to being permitted on land designated 'Medium Density Residential', *multiple unit residential buildings* may be permitted without an amendment to this Plan on land designated 'General Residential' where such proposals generally comply with the criteria in policy 7.2.7.

SCHEDULE 4 (continued)

Relevant Official Plan Policies

'High Density Residential' Land Use Designation

7.2.41 The predominant use of land within areas designated as 'High Density Residential' on Schedule 1 shall be for *multiple unit residential buildings*, generally in the form of apartments.

7.2.42 The 'High Density Residential' designation has been outlined on Schedule 1 in instances where there is a clear planning intent to provide for the following:

- a) High density housing forms in new growth areas to assist in providing opportunities for *affordable housing*;
- b) Greater housing densities that are supportive of transit usage adjacent to major roads forming the existing and future transit network;
- c) A variety of housing types and forms to be situated throughout all areas of the community; and
- d) Supportive of urban form objectives and policies to establishing or maintaining mixed-use nodes.

7.2.43 The *net density of development* shall not occur at less than 100 units per hectare (40 units/acre) and shall not exceed 150 units per hectare (61 units/acre), except as provided for in policy 7.2.10.

7.2.44 High density residential *development* proposals shall comply with the development criteria established for *multiple unit residential buildings* as outlined in policies 7.2.7 and 7.2.45 and shall be regulated by the *Zoning By-law*.

7.2.45 The establishment of a new high density residential use, not within a 'High Density Residential' designation on Schedule 1, will require an amendment to this Plan. When considering such amendments to this Plan, the criteria of policy 7.2.7 will be considered, as well as the following:

- a) That the proposal is located in proximity to major employment, commercial and institutional activities; and
- b) That the proposal is located on an arterial or collector road.

7.2.46 Within the "High Density Residential" designation on the University of Guelph lands on the east side of Edinburgh Road South, development will comply to special standards established in the Zoning Bylaw to recognize this area as an integrated housing complex comprised of individual apartment buildings on separate parcels.

- a) In spite of the maximum density provisions of Policy 7.2.43, net density of residential development on the lands known municipally as 400, 420 and 430 Edinburgh Road South shall not occur at a density of less than 73 units per hectare and shall not exceed 150 units per hectare

SCHEDULE 4 (continued)

Relevant Official Plan Policies

7.2.7 *Multiple unit residential buildings*, such as townhouses, row dwellings and apartments, may be permitted within designated areas permitting residential uses. The following development criteria will be used to evaluate a *development* proposal for *multiple unit* housing:

- a) That the building form, massing, appearance and siting are compatible in design, character and orientation with buildings in the immediate vicinity;
- b) That the proposal can be adequately served by local convenience and neighbourhood shopping facilities, schools, parks and recreation facilities and public transit;
- c) That the vehicular traffic generated from the proposal can be accommodated with minimal impact on local residential streets and intersections and, in addition, vehicular circulation, access and parking facilities can be adequately provided; and
- d) That adequate municipal infrastructure, services and amenity areas for the residents can be provided.

SCHEDULE 4 (continued)

Relevant Official Plan Policies

Official Plan Review Criteria

9.3 Official Plan Amendments

9.3.1 It is the policy of Council that any provision of this Plan may be amended pursuant to the requirements of the Planning Act.

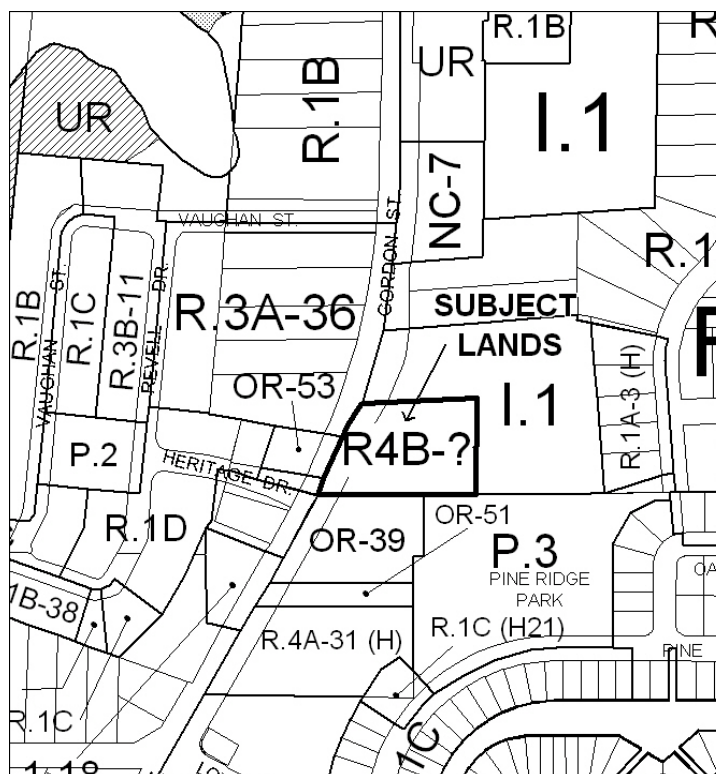
9.3.2 When considering an application to amend the Official Plan, Council shall consider the following matters:

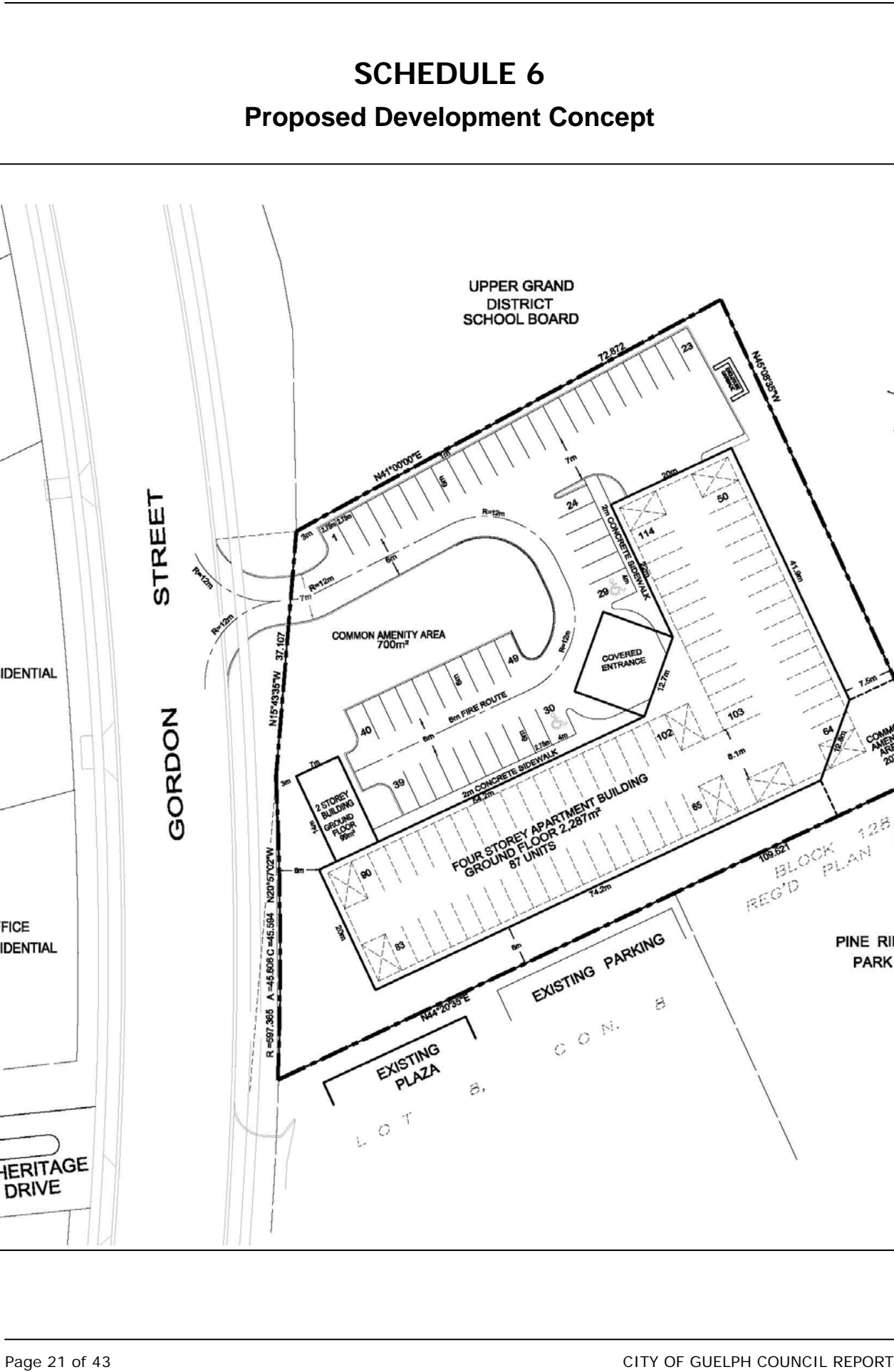
- a) The conformity of the proposal to the goals and objectives of this Plan;
- b) Suitability of the site or area for the proposed use, especially in relation to other sites or areas of the City;
- c) Compatibility of the proposed use with adjacent land use designations;
- d) The need for the proposed use, in light of projected population and employment targets;
- e) The market feasibility of the proposed use;
- f) The extent to which the existing areas of the City designated for the proposed use are developed or are available for development;
- g) The impact of the proposed use on sewage, water and solid waste management systems, the transportation system, community facilities and the natural environment; and
- h) The financial implications of the proposed development.

9.3.3 Council shall provide information regarding a proposed amendment to the Official Plan to such boards, commissions, agencies and the public that may have an interest in it. Prior to approving a proposed amendment, Council shall afford such organizations and the public an opportunity to submit comments.

9.3.4 Council shall, prior to approving an amendment to this Plan, provide information and hold a public meeting for the purposes of obtaining public input concerning the proposal, subject to the provisions of the Planning Act.

Existing Zoning





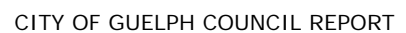
SCHEDULE 7

Conceptual Apartment Building Design



ARTIST'S CONCEPT

Initial Development Concept Proposed at March 2, 2009 Public Meeting



SCHEDULE 9 Circulation Comments

<u>RESPONDENT</u>	<u>NO OBJECTION OR COMMENT</u>	<u>CONDITIONAL SUPPORT</u>	<u>ISSUES/CONCERNS</u>
Planning Services		✓	<ul style="list-style-type: none"> • Subject to Schedule 2
Engineering Services*		✓	<ul style="list-style-type: none"> • Subject to Schedule 2
Parks*		✓	<ul style="list-style-type: none"> • Cash in lieu of parkland
Finance		✓	<ul style="list-style-type: none"> • Development Charges
Emergency Services / Fire	✓		
Guelph Police Service	✓		
Wellington Dufferin Guelph Public Health	✓		
Heritage Guelph	✓		
Guelph and Wellington Development Association	✓		<ul style="list-style-type: none"> • Support application
Guelph Hydro		✓	
Wellington Catholic District School Board*	✓		
Upper Grand District School Board*	✓		
Environmental Planner*		✓	<ul style="list-style-type: none"> • Tree conservation plan required
Pine Ridge Subdivision Residents*			<ul style="list-style-type: none"> • Objection to proposal Number of concerns expressed with increased crime and noise in the park, compatibility and traffic

* comments attached

From: Al McKell
Sent: June 12, 2009 11:37 AM
To: Chris DeVriendt
Subject:

Mr. Devriendt

I live at 12 Oakridge Cres. And back onto Pine Ridge park and received no notice of the meeting regarding 1440 and 1448 Gordon Street. I have spoken to most of the people around the park and we are all against these two lots turning into a four store apartment building. We do not feel having a four story high building dominating the skyline fits in with the other buildings in the area. We have a number of issues with small crime in the area and noise in the park at night, putting in 80 rental units will do nothing but increase these issues. We also believe that cars turning in and out from the parking lot will cause major issues, unless your solution is to add another set of traffic lights. The people of Pine Ridge subdivision would like proper notice of upcoming meetings so we can attend and state our case. We have no issue with row housing.

Alan McKell

From: Alan McKell [mailto:almckell@nwsgames.com]
Sent: September 17, 2009 3:54 PM
To: Karl Wettstein
Cc: cristine.billings@guelph.ca
Subject: Please take a few moments to read these pages this affects us all

We are a group of concerned citizens opposed to the application for zoning change to 1440-1448 Gordon Street. We have attached a memo with our concerns. Please take the time to read them. I called the planner when I found out about this and was told the reason we were not notified was we were out of the required distance. I face the park at 12 Oakridge and can hit the 2 lots with a bad 7 iron shot. We are gathering together to make a strong force to reject this building. If you support this you will be letting down the people who voted for you.

Please leave the zoning as is, we are not again low density development.

Alan McKell
12 Oakridge Crescent
Cell: 416-525-1981

Please take a few moments to read these pages “this affects us all”. The developer has gone to council to have the zoning of lots 1440-1448 changed to high density housing. The change if approved would remove the two homes and trees and replace them with a four storey 86 unit rental unit apartment building. This would overlook the park and would tower over anything else in the area.

These are a few of the issues:

This unit does not fit in with the surrounding buildings on Gordon Street.

These will be rental units which translates in to student housing, this has happened to the row housing across the street from this location.

If you take 86 units Times 3 people per unit average this will add another 258 people to the area.

86 units times 1.5 cars per unit means 129 cars turning in and out of Gordon Street. Will this mean another set of lights?

The noise from students renting the two homes now can be heard all across the park.

If this development goes through it will bring down the value of the single homes in the immediate area and take away from Pine Ridge Park.

If Guelph needs high density housing they should look at a more suitable location.

We need to speak out now before this goes to council for approval, please call your councilor and say no to this application change.

Christine Billings

Councillor Ward 6

519-826-0567

christine.billings@guelph.ca

Karl Wettstein

Councillor Ward 6

519-763-5105

karl.wettstein@guelph.ca

From: The Ridges
Sent: August 17, 2009 10:15 AM
To: Chris DeVriendt
Subject: Re: Gordon street development

List of concerns.

1. crime - right now we have to call the police at least once a month due to noise, drug/drinking in the park (we worked with our two coucillors and the parks department in order to have the park benches removed) since they have gone there has been a massive reduction in trouble. It is finally safe to walk through the unlit park at night. More teenagers in the area with no where to go will naturally hang out at the new parking lot/strip mall/park.
2. An increase in population density will increase the number of dissafected teenagers in the area. Right now the variety store in the mall is a target for the kids who like to smoke and deal - this problem will increase with higher density. The apartment parking lot will become a skate park and area to deal drugs.(happens in the rear parking lot of the strip mall now)
3. Old growth trees. The only real shade available in the park is due to the trees on this property. They will disappear.
4. Parking - it is bad enough around here when there are ball games at the park. With an 86 unit developement where are you getting parking for 86 vehicles (plus visitor parking)
5. Traffic congestion- right now the entrance and exits to the strip mall - daycare - and west side developments result in near accident conditions now - this many new cars - plus no turn lanes will be a disaster. If not fatal.
6. Sightline destruction. At this point we have a skyline that is no higher than two stories. Town house or other development as originally zoned fits the area. - a 4 storey apartment building does not - This will form a nice concrete wall along the park and will be less than desirable.

Also - there has been many discussions in this area that this new development may now be 6 stories. - Is that true? Is there another amendment to this plan?

This is not a Knee Jerk Nimbyistic assault - unfortunately I was involved in a near fatal car accident early this year and only just now became aware that the plan had changed from townhouses.

Thank you in advance
Ian Ridge and family.

Dear councilors.

Just wanted you to be aware that our neighbourhood does not agree with the building of the 4 story (86 unit) apartment building that is slotted to be built on Gordon Street. As you are aware, Gordon Street is very busy. Cars find it very difficult to make turns unless traffic lights are in place. Those living in these units would cause further stress on that street. As a result, I'm sure you'll be needing more police officers on duty in the area to either control speed (which wouldn't be a bad thing), or, more importantly, clean up the residue of car accidents. I'm also concerned with this high density building being so close to the park. Presently, we have young children playing in the area with very, very few people loitering. This would change the dynamics for our children.

I'm sure apartment buildings are needed in Guelph to accommodate the variety of income levels within the city, but I think there should be a more appropriate location than here in the Pineridge area. As you can see above, the safety and well being of many in our area could be jeopardized if this plan were to be put in place.

If you would like to further discuss this matter, please feel free to call me at 519-836-4655

Sincerely,

Carla and Mark Zonneveld

From: GLEN GRAY [mailto:ggray2518@rogers.com]
Sent: September 30, 2009 9:18 PM
To: Karl Wettstein
Cc: Christine Billings
Subject: Zoning Change

As a resident of the Pine Ridge subdivision, I was shocked to learn of the proposed 86 unit rental apartment building which will overlook Pine Ridge Park.

As our voice on council, I would ask that you consider the strong opposition that the residents have to this development.

I strongly urge you to vote against the zoning change which will allow the building of this 4 storey monstrosity in an area

of single family homes. Surely, there must be a more suitable location for such high density housing!!!!

Glen Gray

From: BETH BAKER <beth.baker@sympatico.ca>

To: christine.billings@uguelph.ca <christine.billings@uguelph.ca>; Karl Wettstein

Sent: Wed Sep 30 12:11:57 2009

Subject: lots 1440-1448 gordon street

We are definitely against this proposal. Because

1. the building won't fit in with the surrounding buildings on Gordon St
2. these will be rental units (student housing). It has happened to the row housing across the street from this location
3. $86 \text{ units} \times 3 \text{ people per unit} = 258 \text{ people living in this area}$
4. $86 \text{ units} \times 1.5 \text{ cars per unit} = 129 \text{ cars turning in and out of gordon street.}$
5. does this mean another set of lights? area is already so congested!
6. noise. do you know what is already like from the two homes on 1440 - 1480 gordon street? the parties and noise that we already hear on periwinkle is despicable.
7. this zoning/building will bring down the value of homes in Pine Ridge.

Beth & Rob Baker
16 Oakridge Park
826-5901

From: Kevin and Laurie Anderson <kevinandlaurie@rogers.com>
To: Christine Billings; Karl Wettstein
Sent: Wed Sep 30 14:33:33 2009
Subject: Zone change for lots 1440-1448

I would like to voice my concern to the proposed zoning change of lots 1440-1448 on Gordon Street. This change is not beneficial to the area, nor the area residents. There is low density housing in the area and the proposal is for low to medium. A high density four story building is not what this area needs.

We have a beautiful park which would ultimately be effected by this proposal. Not to mention the flow of traffic in the area.

Survey the people in the area and you will discover that this is not something that is wanted, nor needed.

I ask you to please oppose it as my councillors.

Respectfully submitted,

Kevin Anderson
104 Pine Ridge Drive

From: Anne Paconik <fourpawsbobby@sympatico.ca>
To: Karl Wettstein
Sent: Mon Sep 28 16:42:02 2009
Subject: Zoning of Lots 1440-1448

Karl - Thank you for sending this important documentation regarding the above mentioned matter. Bob and I are very much against this development. There has been much housing development in this area and the traffic is heavy on Gordon and Pineridge already. The other concern we have is that Pineridge Park would have more young people smoking pot and drinking alcohol (which happens) and the garbage in the area would definitely increase. When we walk our little dog, I pick up a bag of garbage on route (I could do this every day but I getting fed up with people not putting their garbage in the trash bins that are available in the park). The noise levels would also increase if a large number of young people (mostly university students) would move in.

If you and other councillor members would object to this, it would be much appreciated by people living in this area.

Karl - I have to take issue with the City of Guelph in the signs that are put up thanking people for planting "trees" to make Guelph beautiful. Yet there are signs erected on the south/west corner of Gordon and Edinburgh suggesting the development of more housing. All those beautiful trees where wild life live will be destroyed. Why are people not objecting to this issue?

Wishing you a successful debate on this. Good luck

Anne and Bob Paconik

From: STEPHEN JAMES <swrac.james@rogers.com>
To: Christine Billings; Karl Wettstein
Sent: Mon Sep 28 08:41:44 2009
Subject: Re: Proposed Official Plan Amendment and Zoning By-law Amendment Ward 6

Dear Ms. Billings and Mr. Wettstein,

Re: File OPO802/ZCO807

We are **adamantly opposed** to the proposal for the high-density housing on Gordon Street.

We have lived in Pine Ridge since 1996 and are some of the original residents. Once a family-centred community, the face of Pine Ridge subdivision has changed dramatically for the negative since the row houses, largely occupied by students, were constructed. We are concerned that when we have our 2-year old daughter at Pine Ridge Park, students frequently occupy the benches, smoking cigarettes (and occasionally other substances), using profanities, literally steps away from where our daughter is playing. It is not uncommon to find broken glass in the park, including the sand where children play. We no longer feel comfortable walking to the variety store as a family on Friday or Saturday evenings because there are often vehicles parked behind the plaza with the occupants loitering either inside or outside these vehicles engaging in loud activities.

One of the bungalows that would be demolished in order for the rental units to be constructed is currently occupied by university-aged people. There are frequent loud parties (profanities shouted that can be heard across the park) and music at this bungalow; debris and even furniture have even been tossed into the park behind the bungalow. We aren't certain whether the police have been called to intervene, but the parties continue. It is reasonable to expect continuation/worsening of these types of behaviours if the rental housing is approved.

We try to be tolerant of others - we have to share the same space. However, there can be no positive benefits to the current residents of Pine Ridge with the addition of the proposed rental units. If the city approves the changes, they are sacrificing the rights of the existing tax-paying residents. **We are in full agreement with all of the points you listed in your notice.**

Sincerely,
Stephen and Wendy James
88 Pine Ridge Drive
519-836-8928

INTERNAL MEMO



DATE February 11, 2009
TO Chris DeVriendt
FROM Rory Barr Templeton
DIVISION CDDS
DEPARTMENT Park Planning
SUBJECT 1440 and 1448 Gordon Street (OP0802/ZC0807)

Park Planning has reviewed the application for the above noted Proposed Official Plan and Zoning Bylaw Amendment, dated February 6, 2009 and offers the following comments:

Official Plan Amendment:

Park Planning has no objection to the request to redesignate the subject property from 'Medium Density Residential' to 'High Density Residential'.

Zoning Bylaw Amendment:

Park Planning has no objection to the rezoning of the subject property to Specialized R.4A-General Apartment Zone.

Parkland Dedication:

Cash-in-lieu of Parkland is recommended for this development.

The developer shall be responsible for paying a 5% cash-in-lieu of parkland dedication payment 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 the issuance of any permits.

Regards,

Rory Barr Templeton
Park Planner

File # T:\ParksPlanning_Park Planning\PLANNING\SOUTH DISTRICT\Zoning By-Law & Official Plan Amendments

INTERNAL MEMO



DATE February 25, 2009
TO **Chris DeVriendt**
FROM Suzanne Young
DIVISION Development Planning
DEPARTMENT Community Design and Development Services
SUBJECT 1440 and 1448 Gordon Street (OP0802/ZC0807)

Chris,

I have now had an opportunity to review the *Preliminary Site Servicing and Stormwater Management Design Report* (prepared by Gamsby and Mannerow, December 2008) and the proposed Official Plan and Zoning By-Law Amendment. I offer the following comments for your consideration:

1. There are several trees on the existing lots. A Tree Conservation Plan must be prepared for all trees equal to or larger than 10cm diameter at breast height (dbh). Should trees be proposed to be removal a compensation plan must be included with the Tree Conservation Plan.
2. The proposal is located within the Arkell Springs Water Protection Area. I support the use of infiltration measures, however, where infiltration is proposed an enhanced level of protection should be used to protect the groundwater resource.

I trust these comments are of assistance. Should you have any questions or concerns please come see me.

Sincerely,

Suzanne Young, MSc, RPP | Environmental Planner
Planning Services | Community Design and Development Services
City of Guelph

T 519-822-1260 x 2356

MacKinnon & Associates

Providing Solutions in Urban, Landscape and Environmental Planning
550 Parkside Drive, Unit A-21, Waterloo, Ontario. N2L 5V4
Phone: (519) 725-5140 Fax: (519) 725-5144
E-Mail: general@mackinnonassociates.ca

FAX MEMO

File: 2019

FACTOR2000\2019\City of Guelph\2009\10\0802\00807.doc

DATE: February 26, 2009**TO: CITY OF GUELPH**
Attention: Chris DeVriendt**FAX NO: (519) 837-5640****FROM: Marianne Tkalec****SUBJECT: Official Plan Amendment - OP0802**
Zoning By-law Amendment - ZC0807
Part Lot 7, Concession 8, City of Guelph
1440 and 1448 Gordon Street**TOTAL PAGES FAXED: 1**
(Including Cover Page)

On behalf of the Wellington Catholic District School Board we have reviewed the above noted application. The Board has no objection to the Official Plan and Zoning By-law Amendment application to permit the development of a four storey apartment building with a total of 86 residential units. We request that the Education Development Charges be collected prior to the issuance of a building permit be included in the standard conditions of approval.

Further, we offer the following comments:

1. Walkways and sidewalks should be maintained on a year-round basis, and kept free of snow during the winter months. Further, vegetative plantings in these locations should be appropriately designed to provide a safe walking environment for students.
2. In order to limit liability, school buses operated by or for the Wellington Catholic District School Board will not travel on privately owned or maintained right-of-ways to pick up students.

Should you have any questions with regard to the requests and comments provided, please do not hesitate to contact our office.

Yours truly,
MacKinnon & Associates


Marianne Tkalec
Planning Assistant

cc: Mr. John Forestell, Wellington Catholic District School Board



UPPER GRAND DISTRICT SCHOOL BOARD

500 Victoria Road North, Guelph, Ontario N1E 6K2
Phone: (519) 822-4420 Fax: (519) 822-9097

Martha C. Rogers
Director of Education

February 11, 2009

PLN: 09-07

File Code: R14

Sent by: mail & e-mail

Chris DeVriendt, Senior Planner
Community Design & Development Services
City of Guelph
59 Carden St.
Guelph, Ontario N1H 3A1

Community Design
and Development Services

FEB 13 2009

Dear Mr. DeVriendt;

Re: **Proposed Official Plan and Zoning Bylaw Amendment**
1440 and 1448 Gordon St., Guelph
OP0802/ZC0807

Planning staff at the Upper Grand District School Board has received and reviewed the above application for an Official Plan and Zoning By-law Amendment to permit the development of a four story apartment building with a total of 86 residential units, dated February 6, 2009.

The Planning Department at the Upper Grand District School Board **does not object** to the application, subject to the following conditions;

- Education Development Charges shall be collected prior to the issuance of a building permit;
- That adequate sidewalks, lighting and snow removal is provided to allow children to walk safely to school or to a congregated bus stop.

Should you require additional information, please feel free to contact me at (519)822-4420 ext. 821.

Sincerely,

Jackie Hope
Administrative Assistant

Cc: Astrid J. Clos Planning Consultants

MEMO

FILE: 16.131.001

TO: Chris DeVriendt
FROM: Michelle Thalen
DEPARTMENT: Engineering Services
DATE: August 10, 2009
SUBJECT: 1440 & 1448 Gordon Street Official Plan and Zoning By-law Amendment – OP0802/ZC0807

The application is for an official plan amendment that would redesignate the site from a medium density residential zone to a high density residential zone. This application also proposes a zoning by-law amendment seeking a rezoning to a Specialized R.4A General Apartment. This zoning would permit the proposed four storey apartment building to have 86 residential units. As such, Engineering Services provides the following comments:

1. Road Infrastructure

The proposed residential apartment building will be served by Gordon Street, a 4 lane arterial road with an urban cross section. Gordon Street currently has sidewalks and bike lanes on both sides of the street to accommodate pedestrian and bicycle traffic for this site.

2. Municipal Services

The following services are available on Gordon Street fronting the subject lands: 400mm watermain, 300mm sanitary sewer and a 675mm storm sewer. Both lots have existing 150mm sanitary sewer and a 19mm water service laterals. Since these services will not be able to accommodate the proposed apartment, the developer is responsible for the costs of their complete removal as per current City policies.

The owner shall be required to pay the proportionate share of the actual costs of constructing municipal services on Gordon Street across the frontage of the lands including roadworks, sanitary sewer, storm sewer, curb and gutter, catchbasins, sidewalks and street lighting. Any proposed service laterals or servicing removals will be at the developer's expense.

3. Storm Water Management

The subject lands currently drain towards the existing Gordon Street storm sewer which outlet at the storm water management pond (Dynes SWM pond) that was constructed during the Gordon Street improvements. This pond was sized to accommodate the pre-development flows from the subject lands and as such, this development will be required to control the post development flows on-site at a projected flow rate provided by the City.

The owner will be responsible for a share of the actual cost of constructing the Dynes SWM Pond as determined by the Commissioner of Environment and Transportation in accordance with the City's policies.

4. Recommended conditions of Approval

We recommend the following conditions for approval of this proposed Official Plan and Zone Change Amendment:

1. Prior to site plan approval and prior to any construction or grading on the lands, the developer shall submit a detailed storm water management report and plans to the satisfaction of the City Engineer which demonstrates how storm water will be controlled and conveyed.
2. That the developer 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 approved by the City and that it is functioning properly.
3. Prior to site plan approval and prior to any construction or grading on the lands, the developer shall construct, install and maintain erosion and sediment control facilities, satisfactory to the City Engineer, in accordance with a plan that has been submitted to and approved by the City Engineer.
4. The developer shall pay to the City the actual cost of constructing and installing any service laterals required and furthermore, prior to site plan approval, the developer shall pay to the City the estimated cost of the service laterals, as determined by the City Engineer.
5. The owner shall pay to the City its share of the actual cost of constructing municipal services on Gordon Street across the frontage of the lands including roadworks, sanitary sewer, storm sewer, curb and gutter, catchbasins, sidewalks and street lighting as determined by the City Engineer. Furthermore, prior to site plan approval, the owner shall pay to the City the estimated cost of the municipal services as determined by the City Engineer.
6. The owner shall pay to the City its share of the actual cost of constructing the Dynes SWM Pond as determined by the City Engineer. Furthermore, prior to site plan approval, the owner shall pay to the City the estimated cost of the Dynes SWM Pond as determined by the City Engineer.
7. That prior to the passing of the zone change by-law, the owner shall enter into an agreement with the City, registered on title, satisfactory to the City Solicitor, covering the conditions noted above and to develop the site in accordance with the approved plans and reports.

SCHEDULE 10

Community Energy Plan Conformity Letter

2177169 Ontario Inc. and 1284172 Ontario Inc.

September 11, 2009

Guelph City Hall
1 Carden Street
Guelph, Ontario
N1H 3A1

Attention: Chris DeVriendt, Senior Development Planner
Community Design and Development Services

Re: 1440 and 1448 Gordon Street
Official Plan and Zone Change Applications (OP 0802 / ZC 0807)

Further to the City of Guelph's request, we are outlining how this application will comply with the Community Energy Plan.

- The density of the site at 126 units per hectare represents intensification which will delay the need for more land to be included in the urban area.
- A comprehensive erosion and sedimentation control plan will be prepared for this site.
- The existing development on the site is 2 single detached homes. The proposed 86 units is a significant increase in the density of this site.
- A landscaped plan including new tree planting will contribute to the City's tree canopy.
- Site lighting will direct lighting toward the ground and the building and not toward the sky.
- The site has convenient access to City bus routes along Gordon Street.
- The landscaping plan will specify native plant materials wherever possible.
- The landscaping plan will specify drought tolerant plant materials wherever possible.
- The stormwater management system incorporates the principles of Low Impact Development.
- Low flow faucets and showerheads and low flow toilets will be specified for the units.
- Project complies with ban on ozone-depleting refrigerant gases.
- Low E windows reduce heat gains and heat loss.
- High efficiency boilers will be used to save natural gas.
- Lighting in units will be provided as Compact fluorescent bulbs.
- Insulated and sealed heating and return ducts. All duct joints are sealed on supply and return trunk ducts and take-offs.
- Service rooms with occupancy light sensors.
- Site lighting controls to turn off automatically when natural lighting is adequate.

- Use low VOC (Volatile Organic Compounds) materials where possible.
- Materials from the existing homes will be offered for re-use prior to demolition. (Habitat for Humanity Re-use Store)
- Construction waste will be sorted on site to provide recycling opportunities where possible.
- Each unit will include individual controls for heating, cooling and lighting.
- All occupied spaces will have access to operable windows.
- The building is designed to provide natural light to 100% of the occupied spaces.
- All appliances provided to the units will meet Energy Star requirements.
- Renewable finishes such as cork and bamboo flooring are offered to the unit purchaser.

Yours truly,

Jeff Neumann

A handwritten signature in black ink, appearing to read 'Jeff Neumann', with a long horizontal flourish extending to the right.

(0811.CEP letter.doc)

SCHEDULE 11

Public Notification Summary

December 19, 2008	Application submitted to the City of Guelph.
February 6, 2009	Notice of Public Meeting advertised in the City News pages of the Guelph Tribune.
February 6, 2009	Notice of Application and Notice of Public Meeting mailed to prescribed agencies and surrounding property owners within 120 metres.
March 2, 2009	Public Meeting of City Council.
October 14, 2009	Notification provided to persons providing comments or signed attendees at the Public Meeting that the matter will be on the Council meeting for a decision.
November 2, 2009	City Council Meeting to consider staff recommendation

TO **Guelph City Council**

SERVICE AREA Community Design and Development Services
DATE November 2, 2009

SUBJECT **CEDARVALE/CITYVIEW SUBDIVISION (23T-99501) –
- Request for an Extension of Draft Plan Approval -
Ward 1**

REPORT NUMBER 09-88

RECOMMENDATION

"THAT Report 09-88 regarding a request for the extension of the Draft Plan Approval for the Cedarvale/Cityview Subdivision (23T-99501) from Community Design and Development Services, dated November 2, 2009, BE RECEIVED;

AND

THAT the application by Black, Shoemaker, Robinson and Donaldson Limited for a three (3) year extension to the Draft Plan Approval of the Cedarvale/Cityview Subdivision (23T-99501) applying to lands legally described as Part of Lots 30 and 33, Registered Plan 53, City of Guelph, BE APPROVED for a three (3) year period to an extended lapsing date of November 21, 2012, subject to the conditions outlined in Schedule 3 of the Community Design and Development Services Report 09-88 dated November 2, 2009."

BACKGROUND

The subject site is located on the west side of Cityview Drive and north of the C.N.R rail line, and includes a parcel of land at the end of Henry Court (see Location Map on **Schedule 1**). The site is bounded by Cityview Drive to the east, Cedarvale Avenue to the north and existing residential development to the west and to the south.

The Cedarvale/Cityview Subdivision (23T-99501) received Draft Plan Approval on November 21, 2000. The approval was extended in November of 2003 and again in November of 2006 and will now lapse on November 21, 2009. The draft plan shown on **Schedule 2** was approved and zoned to accommodate single-detached and semi-detached dwellings. The first phase of the draft plan was registered as Plan 61M-107 in February of 2005 and it included 31 detached residential units and 22 semi-detached units. The unregistered portion of the draft plan of subdivision is the subject of the owner's draft plan extension request (see **Schedule 4**). This final phase includes 14 to 21 detached residential lots along the west side of Cityview Drive that are zoned R.1D (H13), as well as 2 detached residential lots at the southerly end of Henry Court that are zoned R.1D and R.2-6. The range of units in

this final phase is due to the flexibility provided within Block 6 of the approved draft plan to allow some variation in lot sizes to be established at the time of registration within the current R.1D Zone. The maximum of 21 residential lots is based on all the lots being developed at the minimum R.1D zoning lot frontage of 9 metres. The existing zoning is illustrated on **Schedule 5**.

The requested draft plan extension is required to allow the owner to proceed with the registration of this final phase in accordance with the current draft plan and associated conditions of approval. The owner will not be able to fulfil all of the conditions prior to the lapsing of Draft Plan Approval on November 21, 2009. Section 51 (33) of the Ontario Planning Act allows the municipality to grant an extension of Draft Plan Approval. The applicant has requested that City Council provide an extension of 3 years for a new draft plan lapsing date of November 21, 2012.

REPORT

Staff is recommending approval of a three (3) year extension to the draft approval, subject to the conditions outlined in **Schedule 3**. The requested draft plan extension is supported on the basis that there are very limited options for any redesign of this last phase of development. The established lot pattern within this area confines any opportunity to implement an alternative development pattern, noting that there is existing residential development to the north, south and west of the subject lands. The current R.1D zoning that applies to the remaining 15 to 22 residential lots to be registered continues to be an appropriate form of development in association with the surrounding single detached and semi-detached lots that were approved through the original Cedarvale/Cityview draft plan. It is also recognized that very little opportunity to provide increased residential density within this final phase exists, given the small scale and confined layout of this final phase. To ensure the maximum residential density within the plan is achieved, Condition 1d has been added to the original draft plan conditions in **Schedule 3** to require the development of a minimum of 21 residential lots within Block 6. This will attain the maximum of 23 units, when combined with the 2 additional lots at the end of Henry Court.

Although this draft plan extension application is being recommended for approval, staff do recognize that there is a considerable degree of uncertainty with respect to the owner's ability to register this final phase prior to the new proposed lapsing date of November 21, 2012. This final phase has remained unregistered due to the present situation whereby the property owners on both sides of Cityview Drive must first agree to pay to extend the municipal services and upgrade the road to municipal standards. This requirement is reflected in a Holding (H13) Zone which affects the lots to be registered along Cityview Drive. These lots are required to be serviced in conjunction with the lands to the east of Cityview Drive, which still require development approval through the formal submission of a draft plan of subdivision application. To date, only preliminary development plans have been submitted for these adjacent lands. Any future draft plan of subdivision application would be reviewed comprehensively with consideration to the phasing and timing of development, as well as available servicing capacity. At this time, there is some uncertainty that there will be planning servicing capacity available to support a

future draft plan approval for these adjacent lands. This is a potential issue that also affects the current draft plan extension request, since the ultimate servicing and registration of the remaining 23 lots within the Cedarvale/Cityview subdivision is contingent upon a larger-scale draft plan approval on the east side of Cityview Drive being approved with confirmation of servicing capacity.

The previous discussion has highlighted certain implications on the timing of development and servicing allocation commitments for the final phase of the Cedarvale/Cityview subdivision. However, given the limited number of residential lots that remain to be registered, the approval of this three year draft plan approval extension is considered to have a limited impact in terms of withholding servicing capacity for other lots that can be more readily serviced and developed. It is noted that the 23 lots within this final phase have allocated planning servicing capacity. A clearer assessment of the timing and servicing implications for the development of the adjacent lands on the east side of Cityview Drive may occur within the three year time period that is being requested through this draft plan extension application. Engineering staff have reviewed this application and state that this three year draft plan approval extension will not pose servicing capacity problems.

This final phase of development is within the Provincial Growth Plan's designated "Built Boundary" and the registration of these remaining units will contribute to the intensification target of "Places to Grow" policy that stipulates that at least 40% of new residential units shall be located within the built-up area by 2015. In contrast, the adjacent lands on the east side of Cityview Drive are outside the built boundary within the "Designated Greenfield Area", where future development would be subject to meeting the Growth Plan's Greenfield density requirements of 50 persons and jobs per hectare.

The draft 2010 Development Priorities Plan currently identifies the registration of this final phase of development post 2011. While the requested draft plan extension will provide the opportunity for the owner to complete the registration of the draft plan in accordance with the Development Priorities Plan, as previously discussed, this development will need to coincide with the approval of the lands on the east side of Cityview Drive to properly coordinate the servicing and road upgrade requirements.

The implications identified with respect to the possible refusal of this draft plan extension application are that the current draft plan of subdivision would lapse and a new draft plan of subdivision application would need to be submitted, reviewed and approved by Council to permit development on these remaining lands. The current zoning would remain in effect and the owner may choose to also amend this zoning in association with a new subdivision proposal. A decision by Council on a new draft plan of subdivision application or potential zoning bylaw amendment would also be subject to appeals to the Ontario Municipal Board. A final implication identified with allowing the subdivision to lapse is that the planning servicing capacity allocated to this development could be utilized for other projects in the short term. However, as previously mentioned, maintaining servicing capacity commitments for a maximum of 23 lots within this final phase does not present any significant concern.

CORPORATE STRATEGIC PLAN

Supports Urban Design and Sustainable Growth Goal #1: An attractive, well-functioning and sustainable City.

DEPARTMENTAL CONSULTATION & COMMUNICATIONS

The request for the proposed extension of Draft Plan Approval was circulated to City departments and agencies and no objections to the extension were received.

ATTACHMENTS

Schedule 1 – Location Map

Schedule 2 – Approved Draft Plan of Subdivision (23T-99501)

Schedule 3 – Conditions of Draft Plan Approval (23T-99501)

Schedule 4 – Phase 1 and Phase 2 of Draft Plan 23T-99501

Schedule 5 – Existing Zoning

Original Signed by:

Prepared By:

Chris DeVriendt

Senior Development Planner

Original Signed by:

Recommended By:

R. Scott Hannah

Manager of Parks and Development
Planning

Original Signed by:

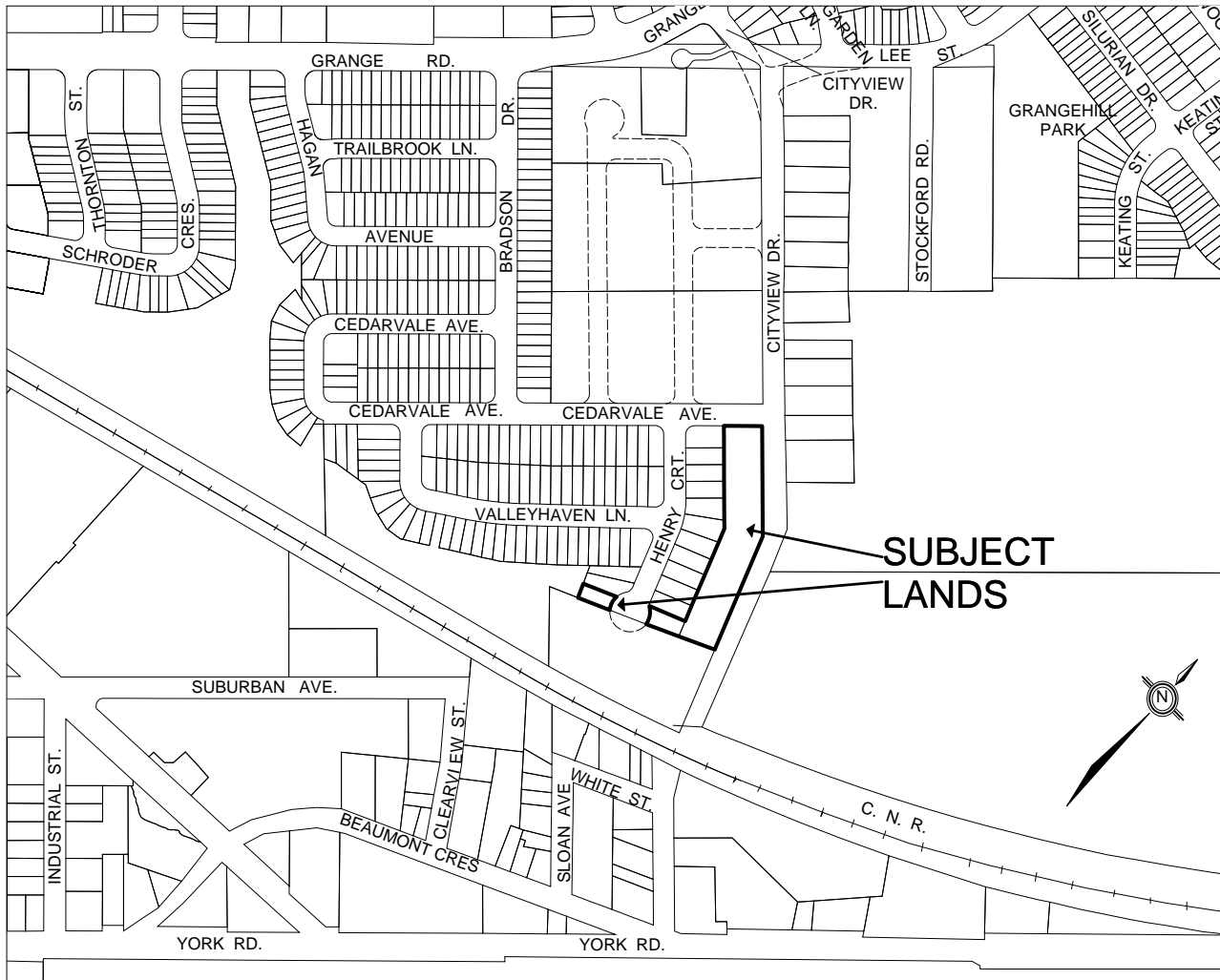
Recommended By:

Jim Riddell

Director of Community Design and
Development Services

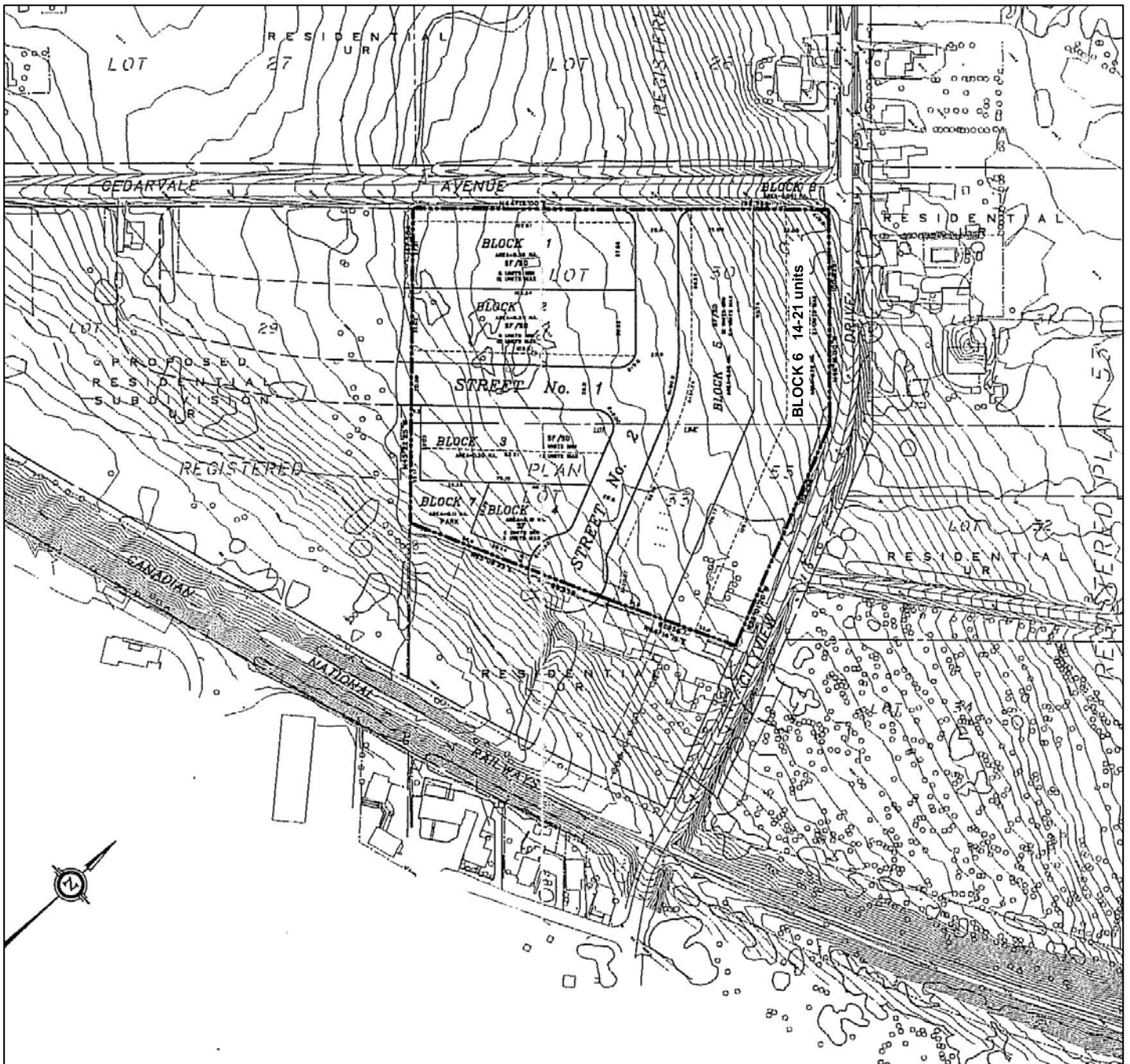
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SCHEDULE 1 Location Map



SCHEDULE 2

Draft Plan of Subdivision 23T-99501



SCHEDULE 3

Draft Plan Conditions of Approval

THAT the City of Guelph approve a three year extension of Draft Plan Approval of the Carson Reid Homes Ltd – Richard Valeriote residential subdivision (File number 23T-99501) to an extended lapsing date of November 21, 2012, subject to the following conditions:

1. That this approval applies only to a draft plan of subdivision prepared by Black, Shoemaker, Robinson and Donaldson Limited dated January 21, 1999 (project #93-9004-7) modified to:
 - a. Provide a road widening on Cityview Drive adjacent to Block 6 to accommodate a curve to the satisfaction of the City Engineer.
 - b. Change the configuration of Block 7 to eliminate the 6 metre by 30.54 metre connection to Street 2 and add this area to Block 4
 - c. Identify Block 7 as “Open Space/Storm Water Management”
 - d. Require the development of 21 residential lots within Block 6
2. That the registration of the plan, or any part thereof, shall require approval of the City with respect to adequate water and sewage treatment capacity being available.
3. That the developer shall pay any outstanding debts owed to the City, prior to the registration of the proposed plan of subdivision.
4. That any dead ends and open sides of road allowances created by this draft plan be terminated in 0.3 metre reserves which shall be conveyed to the City.
5. That the developer shall pay development charges to the City in accordance with By-law Number (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 thereto, prior to the issuance of a building permit, at the rates in effect at the time of the issuance of a building permit.
6. That the developer deeds to the City all lands required by the City for Storm Water Management facilities, including Block 7 (as modified).
7. That site plans for all corner lots, as determined by the City Engineer, shall be submitted to the City Engineer for approval of driveway location prior to the issuance of a building permit.
8. That the developer is responsible for the total cost of the design and construction of all services required to serve all lands within the plan of subdivision, including sanitary, storm and water facilities, the distance and alignment to be determined by the City of Guelph, with such costs to include services required to service the subdivision which are located outside the limits of the subdivision.

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9. That the developer is responsible for the total cost of the design and construction of any roadwork, including sidewalks, boulevards and curbs, within or surrounding the plan of subdivision.
 10. That all easements and rights-of-way required or adjacent to the proposed subdivision be granted to the satisfaction of the City of Guelph, Guelph Hydro and other Guelph utilities.
 11. That the developer pays the cost of all existing services within the abutting subdivision, as determined by the City Engineer.
 12. That the developer makes arrangements, satisfactory to the City Engineer, concerning the scheduling of the development and the developer's payment cost for services within the subdivision.
 13. That the developer phases the subdivision to the satisfaction of the City of Guelph. Specifically, prior to the registration of this plan:
 - i) Bradson Drive shall be completed and opened through to Cedarvale Avenue, to the satisfaction of the City Engineer;
 - ii) The existing connection of Cedarvale Avenue into Hagen Avenue shall be closed and Cedarvale Avenue shall be open and constructed so that it loops back around into the extension of Bradson Drive to the satisfaction of the City Engineer;
 - iii) A second access/egress to the subdivision, satisfactory to the City Engineer, shall be in place.
 14. That the developer shall deed Block 4 and a Part of Block 5, as determined necessary by the City Engineer, for a temporary turning circle until such time as Street No. 2 is extended into the lands to the south.
 15. That the developer prepare a site drainage and grading plan, satisfactory to the City Engineer for the entire subdivision, prior to the issuance of any building permit with the subdivision.
 16. That the developer constructs, installs and maintains erosion and sediment control facilities, satisfactory to the City Engineer, prior to any grading or construction on the subdivision lands in accordance with a plan that has been submitted to and approved by the City Engineer. Furthermore, the developer shall provide a qualified environmental inspector, satisfactory to the City Engineer, to inspect the site during all phases of development and construction including grading, servicing and building construction. The environmental inspector shall monitor and inspect the erosion and sediment control measures and procedures on a weekly or more frequent basis if required. The environmental inspector shall report his or her findings to the City on a monthly or more frequent basis.
 17. That all telephone service and cable TV service in the plan be underground and the developer shall enter into a servicing agreement with Bell Canada providing for the installation of underground telephone service prior to the registration of the plan of subdivision.

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18. That the developer pays the cost of erecting street names in the subdivision, to the satisfaction of the City, prior to the registration of the plan.
 19. That the developer pays to the City the flat rate charge established by the City per metre of road frontage to be applied to tree planting within the proposed subdivision.
 20. That street lighting and underground wiring shall be provided throughout the subdivision at the developer's expense and in accordance with the policies of the City of Guelph and Guelph Hydro.
 21. That the road allowances included in the draft plan be shown and dedicated as public highways and that prior to the registration of any phase of the subdivision, the City shall receive a letter from the O.L.S. preparing the plan that certifies that the layout of the roads in the plan conforms to the City's "Geometric Design Criteria – July 23, 1993, as they may be amended from time to time".
 22. That the developer shall submit a detailed Storm Water Management Report and Plans to the satisfaction of the City Engineer which shows how storm water will be controlled and conveyed to the receiving water body. The report and plans shall address the issue of water quality in accordance with recognized best management practices and Provincial Guidelines.
 23. That, in conjunction with the preparation of the Storm Water Plan and prior to the registration of the plan, the developer shall prepare a reforestation plan, to the satisfaction of the City Engineer and the Director of Community Design and Development Services, for the lands outside the storm water pond in accordance with the storm water management guidelines with the goal of creating additional forest canopy in this area. Further the developer agrees to implement the approved reforestation plan.
 24. That any domestic wells or boreholes drilled for hydrogeological or geotechnical investigations be properly abandoned in accordance with current Ministry of the Environment Regulations and Guidelines to the satisfaction of the City Engineer.
 25. That the developer make satisfactory arrangements with the owner of property to the south regarding the right to use the well situate on the subject lands, prior to registration of any part of the plan which is affected by the existing right-of-way as set out in Instrument Number M-102623.
 26. That the developer shall erect signs at the entrances to the subdivision showing the proposed land uses and zoning of all lots and blocks within the proposed subdivision and predominately place on such signs the wording "For the zoning of all lands abutting the subdivision, inquiries should be directed to Planning and Development Services, City Hall, 519 837-5616".
 27. That the developer shall complete a tree inventory and conservation plan in accordance with the City of Guelph Tree By-law (1986)-12229, satisfactory to the City Engineer and the Director of Community Design and Development Services, prior to any grading or construction on the site.

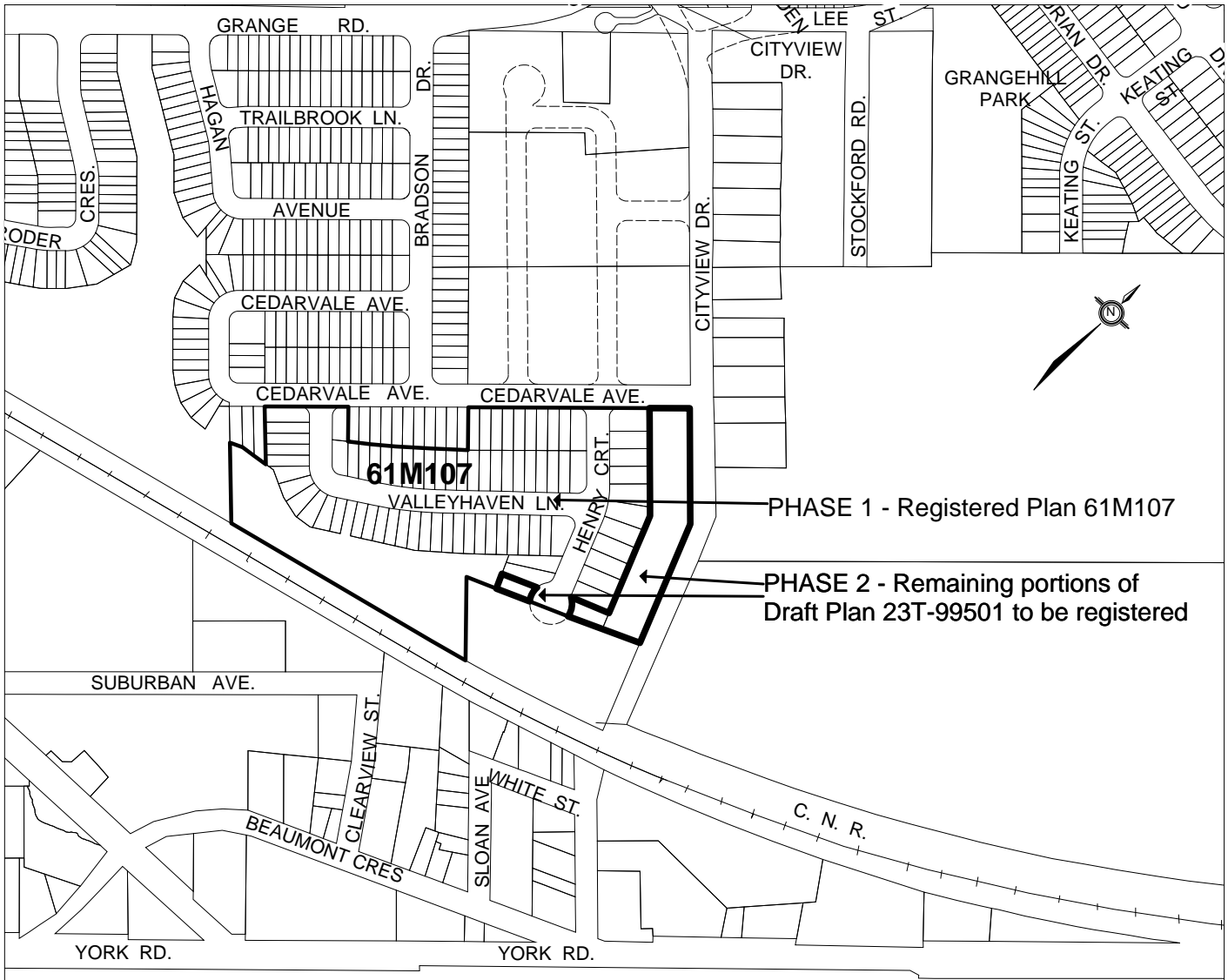
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28. That the developer shall be responsible for paying cash-in-lieu of parkland for the entire development, in accordance with the City of Guelph By-law (1989) – 13410, as amended by By-law (1990) – 13545, or any successor thereof, prior to the registration of the plan.
 29. That the developer enters into an Engineering Services Agreement with the City and Subdivision Agreement with the City, registered on Title, satisfactory to the City Solicitor that covers the conditions of approval.
 30. Prior to the release of building permits, the developer shall demarcate the boundary of Block 7 in accordance with the *City of Guelph Property Demarcation Policy*. This shall include submitting drawings for approval, identifying the concrete markers and living fences, to the satisfaction of the Director of Community Services. The developer shall be responsible for the cost of design and development of the living fence and property demarcation for Block 7.
 31. Prior to the registration of the subdivision plan or any part thereof, the owner shall pay to the City, the City's total cost of reproduction and distribution of the *Guelph Residents' Environment Handbook*, to all future homeowners or households within the plan, with such payment based on a cost of one handbook per residential dwelling unit, as determined by the City.
 32. The developer shall submit a report prepared by a Professional Engineer to the satisfaction of the Chief Building Official certifying all fill placed below proposed building locations. All fill placed within the allowable zoning by-law envelope for building construction shall be certified to a maximum distance of 30 metres from the street line. This report shall include the following information: lot number, depth of fill, top elevation of fill and the area approved for building construction from the street line.
 33. The developer shall submit a report prepared by a Professional Engineer to the satisfaction of the Chief Building Official providing an opinion on the presence of soil gases (radon and methane) in the plan of subdivision in accordance with the applicable provisions contained in the Ontario Building Code.
 34. That prior to any grading or construction on the site, and prior to the registration of the plan, the owners or their agents submit the following plans and reports to the satisfaction of the Grand River Conservation Authority:
 - a) A detailed stormwater management report in accordance with the MOEE Planning and Design Manual, 1994.
 - b) An erosion and siltation control plan in accordance with the GRCA Guidelines for sediment and erosion control, indicating the means whereby erosion will be minimized and silt maintained on site throughout all phases of grading and construction.
 - c) Detailed lot grading and drainage plans.
 35. That the owners apply for and obtain any required permission for works within the flood plain of Hadati Creek from the GRCA under Ontario Regulation 149, as amended by 69/93 and 142/98.

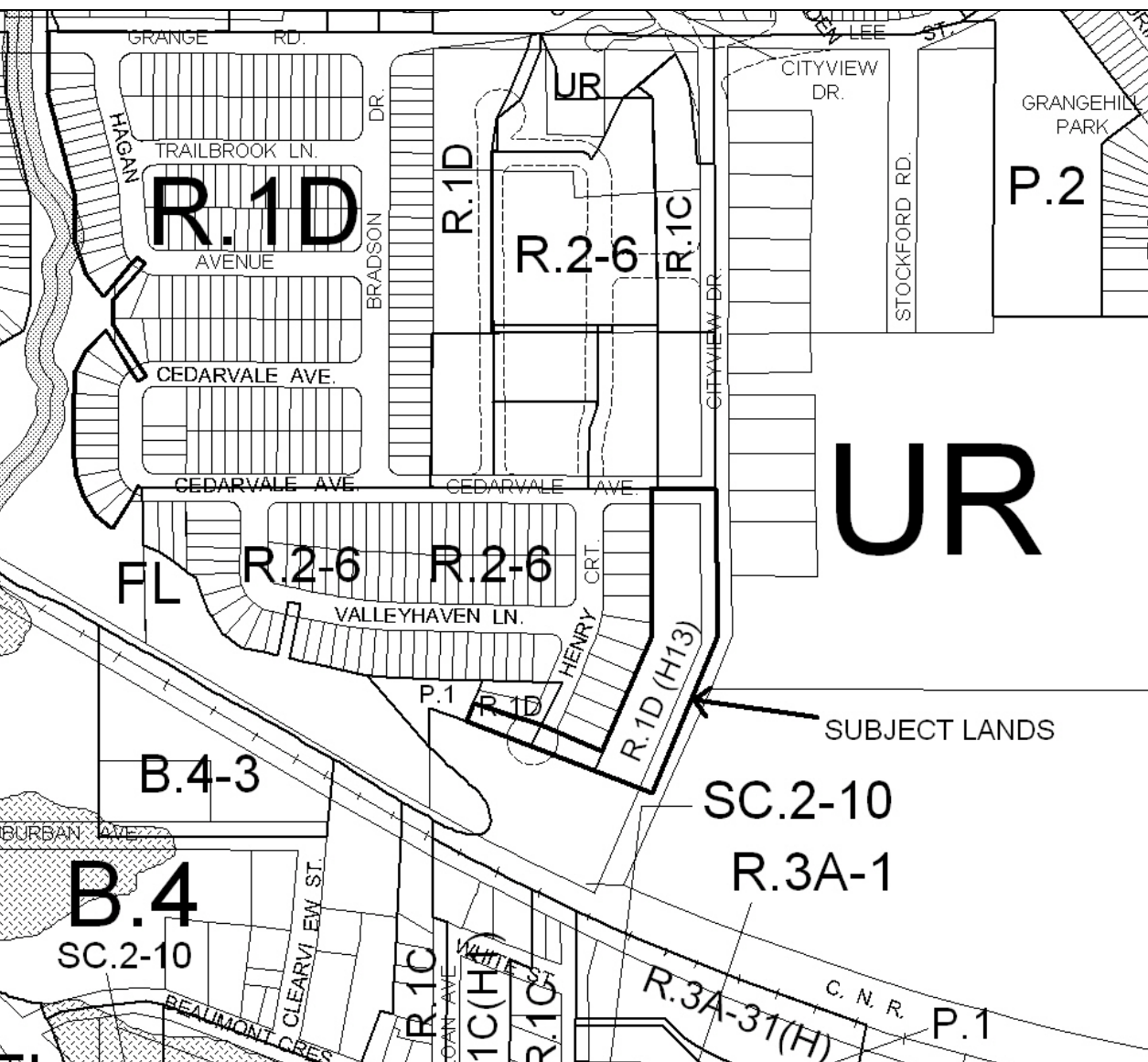
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36. That the subdivision agreement between the owners and the municipality contain provisions for the completion and maintenance of the works in accordance with the approved plans and reports noted in GRCA Condition 34 above.
37. That the developer agrees to provide the Upper Grand District School Board with a digital file of the plan of subdivision in either ARC/INFO export or DXF format containing the following information: at least 4 known UTM ground control points, parcel fabric and street network;
38. That the developer agrees in the subdivision agreement to advise all purchasers of residential units and/or renters of the same, by inserting the following clause all offers of purchase and Sale/Lease, until such time as a permanent school is assigned:
- “Whereas Upper Grand District School Board has designated this subdivision as a Development Area for the purposes of school accommodation, and despite the best efforts Upper Grand District School Board, sufficient accommodation may not be available for all anticipated students from the area, you are hereby notified that students may be accommodated in temporary facilities an/or bused to a school outside the area, and further, that students may in the future have to be transferred to another school”.
39. That the developer and the Upper Grand District School Board reach an agreement regarding the supply and erection of a sign (at the developer’s expense and according to the Upper Grand District School Board specifications) affixed to the permanent development sign advising prospective residents that students may be directed to school outside the neighbourhood.
40. That the developer shall carry out an archaeological assessment of the subject property and mitigate, through preservation or resource removal, adverse impacts to any significant archaeological resources found. No demolition, grading or any soil disturbances shall take place on the subject property, prior to the issuance of a letter from the Ministry of Culture to the City of Guelph indicating that all archaeological assessment and/or mitigation activities undertaken have met licensing and resource conservation requirements.
41. That the owner shall implement the recommendations of the Rail Traffic Vibration and Noise Impact Assessment Report prepared by HCG Engineering Limited, dated July 19, 1999 and that prior to the issuance of any building permit the Owner agrees to update Section 7 “Summary of Recommendations” of the report to include reference to the relevant Lot/Block numbers of the Registered Plan.
42. That the following clause shall be inserted in all development agreements, offers to purchase, and agreements to Purchase and Sale or Lease of each dwelling unit within 300 metres of the railway right-of-way: “Warning: Canadian National Railway Company or its assigns or successors in interest has or have a right-of-way within 300 metres from the land subject hereof. There may be alterations to or expansions of the railway facilities on such right-of-way in the future including the possibility that the railway or its assigns or successors as aforesaid may expand its operations, which expansion may affect the living environment of the residents in the vicinity, notwithstanding the inclusion of any noise and vibration attenuating measures in the design of the development and individual dwelling(s). CNR will not be responsible for any complaints or claims arising

from use of such facilities and/or operations on, over or under the aforesaid rights-of way.”

43. That this Draft Plan Approval shall lapse at the expiration of 3 year from the date of the issuance of Draft Plan Approval.
44. That the developer and the Wellington Catholic District School Board reach an agreement regarding the supply and erection of a sign, at the developer's expense, affixed to the subdivision sign advising potential Separate Board supports of the location of schools serving the area and the current practice of busing students outside the immediate area should schools in the area be at capacity.
45. That prior to the registration of any portion of the plan affecting the right-of-way as set out in Instrument Number M-102623, the Owner shall advise the City in writing how condition 25 has been satisfied.
46. That prior to the registration of all or any portion of the plan, the Grand River Conservation Authority shall advise the City in writing how conditions 34, 35 and 36 have been satisfied.
47. That prior to the registration of all or any portion of the plan, the Upper Grand District School Board shall advise the City in writing how conditions 37, 38 and 39 have been satisfied.
48. That prior to the registration of all or any portion of the plan, Guelph Hydro shall advise the City in writing how conditions 10 and 20 have been satisfied.
49. That prior to the registration of all or any portion of the plan, the Ministry of Citizenship and Culture shall advise the City in writing how condition 40 has been satisfied.
50. That prior to the registration of all or any portion of the plan, the Wellington Catholic District School Board shall advise the City in writing how condition 44 has been satisfied.

SCHEDULE 4
Phase 1 and Phase 2
Draft Plan of Subdivision 23T-99501





Guelph Ont.

Sirs, -

Rosewood Avenue should
remain residential.

Demolishing houses, to have
driveways would look absolutely
disgusting for Rosewood Ave.

It is a pretty street NOW.

Isabel Britton

RECEIVED
OCT 21 2009

CITY CLERK'S OFFICE

TO	Guelph City Council
SERVICE AREA	Finance
DATE	2 November 2009
SUBJECT	New Service Agreement with Clearing and Depository Services Inc (CDS)
REPORT NUMBER	FIN-09-37

RECOMMENDATION

THAT the Mayor and the City Clerk be authorized to sign the *Book Entry Only Securities – Services Agreement* and any associated documents with CDS Clearing and Depository Services Inc (“CDS”).

THAT a by-law be approved requiring a bond of indemnification from CDS as a condition of issuing replacement debentures.

THAT a by-law be approved authorizing the entering into of the *Book Entry Only Securities – Services Agreement*.

BACKGROUND

In order that the City can proceed with a November 2009 debt issue, the *Book Entry Only Securities – Services Agreement* and associated by-laws must be in place. A separate report requesting authorization to proceed with the debenture issue will be brought to Council on November 2, 2009 in order to allow the debt issue time to be marketed with final approval at the regular Council meeting on November 23, 2009.

CDS Clearing and Depository Services Inc. (CDS) provides the only clearing service for issuers of Canadian debt securities. This arrangement allows issuers of debt such as the City of Guelph to deal with only one agency, which, through its participants, deals with many investors as they buy and sell the City's debt securities in the capital markets. This reduces administrative complexity and overhead, and potential transactional errors.

The City has used the services of CDS for many years. CDS has introduced changes to its book entry only services system and, effective August 1, 2009, CDS requires Ontario municipal issuers who desire to deposit debentures in the CDS system as book entry only securities to enter into new arrangements with CDS which,

amongst other things, requires them to enter into a Book Entry Only Securities – Services Agreement (“BEO SSA”) which is in a standard form containing terms applicable to all issuers wishing to use the book entry services of CDS. The BEO SSA incorporates by reference the Issuer Procedures which are posted on CDS’ website.

REPORT

Borden Ladner Gervais LLP (BLG) represented many Ontario municipalities in dealing with CDS in respect of the proposed new form of the BEO SSA. BLG found several of the provisions to be heavily weighted in favour of CDS and in some instances to be not appropriate for Ontario municipalities and onerous. After lengthy discussions with CDS, the following improvements have been negotiated:

- CDS permits Ontario municipalities to enter into Rider 1 (Municipalities) to the BEO SSA (the “Rider”) which Rider modifies certain terms of the BEO SSA to make such terms more favourable to those who enter into the Rider;
- The Rider continues the ‘old’ arrangement that contemplates CDS providing a bond of indemnity in the event of the disappearance, loss, theft, etc. of a global debenture held by CDS **provided the issuer’s by-laws require a bond of indemnity as a condition of issuing replacement debentures** and provided the principal amount of any one specific global debenture does not exceed \$50 million CAD at maturity;
- The Rider specifies that the notice provisions are accompanied by an escalation provision (similar to the amendments requested by the provincial issuers) in the event that changes with which an Ontario municipal issuer disagrees are made to the BEO SSA and Issuer Procedures (under the BEO SSA, CDS adopts a “take it or leave it” approach);
- The Rider provides for the amendment of the assignment provision to limit assignments by CDS and to require issuer approval if CDS wishes to assign the agreement to a party that is not a recognized clearing agency under applicable Canadian or provincial securities legislation (under the BEO SSA, CDS is not subject to such limitations);
- The Rider specifies that CDS must provide 30 days notice to the issuer in the event that CDS discontinues the eligibility of the debentures on deposit (although less favourable than the ‘old’ regime, absent the Rider, CDS under the BEO SSA can discontinue such eligibility by providing “notice” without any indication of the length of such notice);
- The Rider provides that for uncertificated securities, the issuer need only confirm the end-of-day closing balance on the closing date and on any day that such closing balance is increased or decreased (absent the Rider, a daily confirmation is required under the BEO SSA); and
- The Rider provides for the termination of the BEO SSA on 60 days prior notice to be given by CDS to the issuer (absent the Rider, CDS may terminate by notice given in accordance with the Issuer Procedures).

Changed provisions (from the ‘old’ regime) in respect of which CDS was not prepared to negotiate include the following:

-
- Municipalities will now be required to notify CDS of impending maturity dates of issues; and
 - Payments will be required by electronic transfer of funds, not by cheque as has been the past practice.

Based on the foregoing, BLG suggests that before passing a by-law to authorize the entering into of the BEO SSA and the Rider the City consider passing a by-law to authorize the issue of replacement debentures conditional on the City receiving a bond of indemnity.

FINANCIAL IMPLICATIONS

CDS provides the only clearing services for issuers of Canadian debt securities. We will not be able to use their services unless we sign a new agreement with them.

CONCLUSION

CDS is the only agency that provides a clearance service for issuers of Canadian debt. Agreeing to the provisions of CDS's new service arrangements for their book only entry system will ensure that CDS accepts new issues of debentures and maintains existing securities issued by the Municipality as book entry only securities in the CDS system.

ATTACHMENTS

- 1) By-Law Number 18887
- 2) By-Law Number 18888

Original Signed by:

Prepared By:

Michael humble CGA
Supervisor of Financial Services

Original Signed by:

Recommended By:

Susan Aram CGA
Deputy Treasurer

THE CORPORATION OF THE CITY OF GUELPH

By-law Number (2009) - 18887

To authorize the issue of replacement debenture certificates. (CDS Clearing and Depository Services Inc.)

WHEREAS the *Municipal Act, 2001*, as amended (the "**Act**") provides that a municipality may incur a debt for municipal purposes, whether by borrowing money or in any other way, and may issue debentures and prescribed financial instruments and enter prescribed financial agreements for or in relation to the debt;

AND WHEREAS The Corporation of the City of Guelph (the "Municipality") has issued and continues to issue debentures to provide financing for its capital works pursuant to the provisions of the Act from time to time in connection with various long term financing transactions;

AND WHEREAS when the Municipality from time to time issues debentures in the capital markets, such debentures are typically issued in global fully registered form (individually a "Global Debenture" and collectively the "Global Debentures") in the name of CDS & CO. as nominee of CDS Clearing and Depository Services Inc. ("CDS") as book entry only securities;

AND WHEREAS CDS has introduced changes to its book entry only services system and, effective August 1, 2009, requires Ontario municipal issuers who desire to issue debentures in the CDS system as book entry only securities to enter into new arrangements with CDS, including CDS' Book Entry Only Securities – Services Agreement and as part of the new arrangements, Ontario municipalities may enter into Rider 1 (Municipalities) to CDS' Book Entry Only Securities – Services Agreement (the "Rider");

AND WHEREAS the Rider, amongst other things, provides in section 3.3 that if the statute or by-laws binding the issuer require a bond of indemnity as a condition of issuing a replacement certificate in the event of a defacement, loss, mysterious or unexplainable disappearance, theft or destruction or other instance, then CDS may at its option, either give an indemnity to the issuer for losses incurred by the issuer by reason of a claim in respect of the defaced, lost mysteriously or unexplainably disappeared, stolen or destroyed global certificate, substantially in the form required by the issuer and acceptable to CDS, or deliver a bond of indemnity, lost document bond or similar instrument each of which is issued by a surety or insurer, in a form acceptable to both the issuer and CDS, and issuer shall have no right to require a fee of any kind, whereupon the issuer shall, if requested by CDS, issue a new global certificate to replace such defaced, lost,

mysteriously or unexplainably disappeared, stolen, destroyed or dematerialized global certificate;

AND WHEREAS the Rider also provides in section 3.1 that the issuer shall deliver or cause to be delivered to CDS for each specific issue of debentures being deposited at CDS, one original, fully registered global certificate or if the aggregate principal amount of the debentures at maturity exceeds \$50 million CAD and if the statutes or by-laws binding the issuer require a bond of indemnity as a condition of issuing a replacement certificate, then with respect to each \$50 million of principal amount, the issuer shall deliver or cause to be delivered to CDS an additional original, fully registered global certificate;

AND WHEREAS it is expedient to authorize the issuing of replacement debenture certificates, including Global Debentures, in the event of a defacement, loss, mysterious or unexplainable disappearance, theft or destruction or other instance (such as dematerialization) and establish certain conditions in respect thereof;

NOW THEREFORE the Council of The Corporation of the City of Guelph hereby enacts as follows:

1. In the event of the defacement, loss, mysterious or unexplainable disappearance, theft or destruction or other instance (such as dematerialization) of debenture certificates, including Global Debentures, the Mayor and the Treasurer on behalf of the Municipality are hereby authorized to issue replacement debenture certificates in respect of any such debentures on the provision of a bond of indemnity, lost document bond or similar instrument each of which is issued by a surety or insurer, in a form acceptable to both the Municipality and the entity that has requested the replacement debenture certificate.
2. In the case of a request for a replacement debenture certificate by CDS, the Municipality shall have no right to require a fee of any kind, although the Municipality may, at its discretion, in other cases require the payment of a fee to cover the cost of issuing a replacement debenture certificate.
3. This By-law comes into force on the day it is passed.

PASSED this SECOND day of NOVEMBER, 2009.

KAREN FARBRIDGE – MAYOR

TINA AGNELLO - DEPUTY CLERK

THE CORPORATION OF THE CITY OF GUELPH

By-Law Number (2009) - 18888

To authorize the execution of a book entry only - services agreement and a rider, both with CDS Clearing and Depository Services Inc. ("CDS") and both in respect of the deposit in the CDS system of debentures as book entry only securities.

WHEREAS the *Municipal Act, 2001*, as amended (the "**Act**") provides that a municipality may incur a debt for municipal purposes, whether by borrowing money or in any other way, and may issue debentures and prescribed financial instruments and enter prescribed financial agreements for or in relation to the debt;

AND WHEREAS The Corporation of the City of Guelph (the "Municipality") has issued and continues to issue debentures to provide financing for its capital works pursuant to the provisions of the Act from time to time in connection with various long term financing transactions;

AND WHEREAS when the Municipality from time to time issues debentures in the capital markets, such debentures are typically issued in global fully registered form (individually a "Global Debenture" and collectively the "Global Debentures") in the name of CDS & CO. as nominee of CDS Clearing and Depository Services Inc. ("CDS") as book entry only securities;

AND WHEREAS CDS has introduced changes to its book entry only services system and, effective August 1, 2009, requires Ontario municipal issuers who desire to issue debentures in the CDS system as book entry only securities to enter into new arrangements with CDS, including CDS' Book Entry Only Securities – Services Agreement and as part of the new arrangements, Ontario municipalities may enter into Rider 1 (Municipalities) to CDS' Book Entry Only Securities – Services Agreement (the "Rider");

AND WHEREAS it is expedient to authorize the entering into new arrangements with CDS to ensure that CDS accepts new issues of debentures and maintains existing securities issued by the Municipality as book entry only securities in the CDS system;

NOW THEREFORE the Council of The Corporation of the City of Guelph hereby enacts as follows:

1. The Mayor and the Treasurer on behalf of the Municipality are hereby authorized to execute the agreement entitled "Book Entry Only – Services Agreement" and the Rider, both with CDS and both in respect of the issuance of debentures of the Municipality, with such changes thereto as may be required by CDS and as such authorized officials of the Municipality may, at their discretion, approve.

2. This By-law comes into force on the day it is passed.

PASSED this SECOND day of NOVEMBER, 2009.

KAREN FARBRIDGE – MAYOR

TINA AGNELLO – DEPUTY CLERK

COUNCIL REPORT



TO **Guelph City Council**

SERVICE AREA Finance
DATE 2nd November 2009

SUBJECT **Debenture Issue**
REPORT NUMBER FIN-09-36

RECOMMENDATION

THAT Council authorize the list of projects contained in Appendix 1 to be funded by debenture issue,

AND THAT the City Treasurer be authorized to proceed with the marketing through the City's fiscal agent, of a debenture issue in the principal aggregate amount of \$24,870,000 dated 23 November 2009 for a term not exceeding ten years.

REPORT

Staff have determined that debenture financing is required for various capital projects as identified in Appendix 1 and are now seeking Council authorization to proceed. As indicated on the schedule, the majority of these projects are growth related and the debenture servicing costs will ultimately be funded from the Development Charge Reserve Funds. In order to take advantage of current low borrowing rates and in recognition of reduced Development Charge reserve fund revenues, pre-funding of scheduled 2010 expenditures is recommended.

Updated Annual Debt Repayment Limit

As required for Council to provide authorization, the Treasurer has calculated an updated debt and financial obligation limit (see Appendix 2) pursuant to Ontario Regulation 403/02 Section 4(1) and confirms that the debt charges resulting from this debt issue and all approved not yet issued debt, will fall within the limits prescribed by the Ministry. To provide Council with complete information and in anticipation of negotiating flexible financing for the Hanlon Creek Industrial Park Development to a maximum amount of \$20 Million over the construction phase, this financial obligation has also been included in the updated calculation. A separate Council report will be brought forward for approval of this financing later this year.

Tax Supported Capital Projects

A total of \$6,792,881 of debt principal will be serviced by taxation revenue. The debt issue amount for all projects listed was approved in previous budgets or through separate Council reports. Funding for the joint South End facility was originally forecast for debenture issue in 2010, but has been brought forward in order to take advantage of current interest rate levels.

With the adoption of the new Debt Management Policy, infrastructure rehabilitation projects and projects with individual values of less than \$500,000 will no longer be considered eligible for debenture financing. However, funding decisions approved in prior budgets will continue to be honoured.

Development Charge Supported Capital Projects

A total of \$18,077,119 will be supported by Development Charge Reserve Funds. The Development Charges Act permits debt servicing to be included as a capital cost to leverage development charge revenue while waiting for DC collections to catch up to growth-related spending. Debt financing was not originally anticipated for these projects or distinct project phases at the time of original budget approval but due to the economic downturn and low DC collections, it has become necessary to pre-fund priority 2010 expenditures in this manner. The Development Charge Background study will need to be amended to incorporate these debt servicing charges.

A total of \$4,000,000 is needed for the joint South-End facility. Again, this funding was originally scheduled for debenture issue in 2010, but has been brought forward in order to take advantage of favourable interest rates. \$3,350,000 was approved in the 2007 capital budget, and the remaining \$650,000 was contained in the 2009 capital budget (PS0005 Police share of South End facility Costs).

RD0164 Transit Terminal \$1,866,600 - was approved in 2009 by report FIN-09-32 as an Infrastructure Stimulus Fund project and must be completed by March 31st, 2011.

WW0052 Laird Road: Hanlon Crossing \$562,700 - was approved in the 2002 user pay capital budget but did not proceed promptly at that time because it was tied to the development schedule in the area. The project involves the construction of a 100 metre tunnel under the Hanlon Expressway to accommodate water-main and utilities crossing from the eastside of the Hanlon to the west side to service future development. This project will receive Industry Canada funding and is now to be completed by March 31st, 2010.

WS0035 Wastewater Treatment Plant Biosolids Facility Upgrade (biosolids storage) \$5,847,819 - has been identified as a critical component of the Biosolids Management Master Plan. Implementation of storage is a requirement under the Nutrients Management Act and reduces the risk of process upset and performance

failure by adding a buffer between process control and ultimate biosolids re-use/disposal.

WW0016 Arkell Spring Grounds \$3,000,000 – The Council approved 2006 Water Supply Master Plan identified the commissioning of new wells in the Arkell Spring Grounds as the short term, new water supply number one priority to allow the City to meet Provincial growth targets. Accordingly, expenditures related to the uncompleted Adaptive Management Plan and well construction components of this project will occur in the short term to allow for well commissioning in 2010.

WW0046 New Supply \$1,000,000 – The Council approved 2006 Water Supply Master Plan identified the commissioning of a number of additional new water services over the current five year capital forecast , including the Clythe, Ironwood Steffler, Sacco and Smallfield wells and a new well in the south end of the City. These new sources of water supply are required to allow the City to meet Provincially mandated growth targets. Staff are contemplating completion of the Environmental Assessment and Studies components of these projects in the short term to allow for just-in-time commissioning of these sources at a later date.

WW0082 Scout Camp Aquaduct Tie-In \$1,800,000 – Completion of project phase in the short term will ensure that additional water pumped in 2010 from the new wells will reach treatment facilities at the Woods Station.

ATTACHMENTS

Appendix 1 – Schedule of Capital Projects

Appendix 2 – Calculation of Updated Annual Debt Repayment Limit (ARL)

Original Signed by:

Prepared By:

Michael Humble CGA
Supervisor of Financial Services

Original Signed by:

Recommended By:

Susan Aram CGA
Deputy Treasurer

**Appendix 1 FIN-09-36
Schedule of Capital Projects**

Council Approval Date	Capital Project	Description	\$\$ to be Funded	
Tax Supported				
Infrastructure Rehabilitation				
15-Dec-08	RD0075	Intersection: Victoria and Eramosa	149,881	
17-Jan-07	RD0141	Arkell Road: Gordon to Victoria	449,000	
19-Feb-08	RD0152	Eramosa Road Bridge	162,000	
			<u>760,881</u>	
Corporate Priorities				
23-Jan-07	FS0010/21 *	South End Joint Facility	2,666,000	
15-Dec-08	GG0016	Civic Administration Building	2,300,000	
26-Oct-09	SS0007	Strategic Land Purchase	850,000	
14-Feb-05	WM0015	Public Drop Off Facility	216,000	
			<u>6,032,000</u>	<u>6,792,881</u>
DC Supported				
23-Jan-07	FS0010 *	South End Joint Facility - Fire	950,000	
23-Jan-07	PS0005 *	South End Joint Facility - Police	3,050,000	
27-Jul-09	RD0164 **	Transit Terminal	1,866,600	
12-Jan-02	WW0052	Laird Road: Hanlon Crossing	562,700	
19-Feb-08	WS0035	WWTP Facility Upgrade	5,847,819	
15-Dec-08	WW0016	Arkell Spring Grounds	3,000,000	
15-Dec-08	WW0046	New Supply	1,000,000	
15-Dec-08	WW0082	W12 Scout Camp Aquaduct Tie-In	1,800,000	
				<u>18,077,119</u>
				<u>\$ 24,870,000</u>

* Forecast 2010 debt issues brought forward to take advantage of current low interest rates

** Approved by Report FIN-09-32

Appendix 2 FIN-09-36
Updated Annual Debt Repayment Limit

	Approved Debt at December 31, 2009		2010 Estimated Debt Servicing	
Tax Supported		42,868,211		
Industrial Development		2,464,481		
Elliott		19,196,571		
User Pay/POA		6,139,531		
Development Charges		-		
Current Debt Outstanding at December 31, 2009	\$	70,668,794	\$	11,084,027
Tax Supported				
Roads Rehabilitation		760,881		
New City Hall		2,300,000		
South End Joint Facility		2,666,000		
Public Drop off Facility		216,000		
Strategic Land Purchase		850,000		
DC Supported				
South End Joint Facility		4,000,000		
Transit Terminal		1,866,600		
Laird Road: Hanlon Crossing		562,700		
Waste Water Treatment Plant		5,847,819		
Arkell Spring Grounds		3,000,000		
New Water Supply		1,000,000		
Scout Camp Aquaduct Tie-in		1,800,000		
Total November 23, 2009 Debt Issue	\$	24,870,000	\$	3,066,246
Museum		5,700,000		
Civic Square/Carden*		1,663,372		
Organic Facility		28,000,000		
Roads Rehabilitation		775,400		
Total Approved Not Issued	\$	36,138,772	\$	4,455,583
Industrial Development	\$	20,000,000	\$	3,687,333
(Average Interest/Principal during 6 year repayment period)				
Total Approved Debt	\$	81,008,772	\$	22,293,189

Note: Balance of Civic Square/Carden of \$4.7M not yet approved & not included in calculation

Note: An interest rate of 4% has been assumed for the debenture issue and 2.95% for the Industrial Development financing.

Annual Debt Repayment Limit	Determined by Ministry		Updated	
	(based on 2008 FIR Actuals)		(based on 2008 FIR Revenues, 2010 estimated debt service)	
Net Revenue Fund Revenues (A)	\$	240,461,451	\$	240,461,451
25% of Net Revenue Fund Revenues (B)		60,115,363		60,115,363
Debt Servicing (C)		16,556,839		22,293,189
ARL Limit: (B-C)	\$	43,558,524	\$	37,822,174
Debt Service Cost/Net Revenue Fund Revenue (C/A)		6.9%		9.3%

COUNCIL REPORT

TO **Guelph City Council**

SERVICE AREA Community Design and Development Services
DATE November 2nd, 2009

**SUBJECT Hanlon Expressway Watermain and Utilities, Contract
#02-0962**

REPORT NUMBER 09-94

RECOMMENDATION

"THAT the tender of Xterra Construction Inc be accepted and that the Mayor and Clerk be authorized to sign the agreement for Contract 02-0926 for the Hanlon Expressway Watermain, for a total tendered price of **\$1,699,227.08** with actual payment to be made in accordance with the terms of the contract."

BACKGROUND

The City completed a Water and Wastewater Servicing Master Plan (WWSMP) in 2008 to determine future water distribution and waste water conveyance infrastructure requirements. The WWSMP recommended that in order to improve water distribution in the south end of the City, additional infrastructure is required to ensure acceptable system pressures, fire flows and storage requirements. The Hanlon Expressway Watermain and Utilities tender, the subject of this report, was identified as a required improvement to the existing system and to facilitate new growth in this area. The watermain is required to meet acceptable system pressures and fireflows for developments on the west side of the Hanlon Expressway including the Hanlon Creek Business Park.

The contract work for the Hanlon Expressway Watermain and Utilities is located in the South Guelph and Hanlon Creek Business Park lands. The watermain and utilities will be located in sleeves that will be bored under the Hanlon Expressway from east to west along the Clair Road alignment. This work will include the addition of two 400 mm diameter watermains in 750 mm diameter sleeves, and one 750 mm diameter sleeve carrying ducts for utilities (hydro, telecommunications). The project will be cost-shared between the City and the utilities on a proportionate basis.

REPORT

Tenders for the above mentioned project were received on October 14, 2009 as follows (prices include 5% GST):

- 1) Xterra Construction Inc...\$1,699,227.08
- 2) Drexler Construction Limited...\$1,946,935.83

The tenders were checked for legal and mathematical accuracy and no mathematical errors were found in the bids.

Xterra Construction Inc has worked on similar projects for the City and other municipalities. The City's consultant has reviewed the tenders and has recommended the contract be awarded to this firm.

CORPORATE STRATEGIC PLAN

This project supports:

- The City's Strategic Goal #1; "To manage growth in a balanced, sustainable manner", by ensuring the City's infrastructure is sufficient for current and anticipated growth.

FINANCIAL IMPLICATIONS

Funding for this project is included in the approved Waterworks Capital Budget Account WW0052. The project will receive funding under the Community Adjustment Fund of the Federal Government, in addition to the cost-share contribution by participating utilities. The funding breakdown is provided in the attached funding summary. It is important to note that this project will be identified in the next DC Study undertaken by the City of Guelph and it is the intention of this Council that this project be paid for by development charge funded debt.

DEPARTMENTAL CONSULTATION

Operations and Environmental Services staff have reviewed the proposed design drawings. Finance staff has provided the Budget and Financing Schedule.

COMMUNICATIONS

Residents and businesses in the area will be notified of the construction on Clair Road West, Phelan Road and Southgate Drive areas.

ATTACHMENTS

- Budget and Financing Schedule
- Location Plan



Prepared By:

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Project Manager
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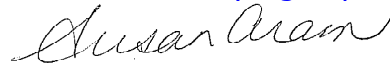
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Recommended By:

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Budget and Financing Schedule

JDE Project number: WW0052
 Contract # 02-0962
 Project name: **Hanlon Expressway Watermain & Utilities**
 Prepared by: Sarah Purton
 Date: October 26, 2009

	Total Cost	External Financing			Internal Financing		
		Subsidy	Dev't Charges	Developer/ Other	Current Revenues	Reserve	Debt
A. Budget Approval							
WW0052: Laird Rd: Hanlon Crossing	1,184,000	621,294	562,706	0	0	0	0
Budget Approval	1,184,000	621,294	562,706	0	0	0	0
B. Budget Requirement							
Tender: Xierra Construction Inc. (Incl GST)	1,699,227						
Less: GST Credit	80,916						
Less: Utilities Portion	675,166						
City Share	943,145	494,908	448,238	0	0	0	0
plus: Expenditures to Date - WW0052	98,661	51,772	46,889	0	0	0	0
plus: Committed Funds - WW0052	0	0	0	0	0	0	0
plus: Contingency (City Portion)	47,157	24,745	22,412	0	0	0	0
plus: Engineering Charges (City Portion)	28,294	14,847	13,447	0	0	0	0
plus: Contract Administration (City Portion)	66,742	35,022	31,720	0	0	0	0
plus: Future Work - WW0052	0	0	0	0	0	0	0
TOTAL BUDGET REQUIREMENT	1,184,000	621,294	562,706	0	0	0	0
C. Surplus / (Deficit)	0	0	0	0	0	0	0
D. Revised project budget	1,184,000	621,294	562,706	0	0	0	0

Note: WW0052 Laird Rd: Hanlon Crossing will be identified in the next DC Background Study undertaken by the City of Guelph and it is the intention of this Council that this project be paid for by development charge funded debt.

