

# COUNCIL PLANNING AGENDA



**DATE June 4, 2013 7:00 p.m.**

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 and General Nature Thereof**

## PRESENTATION

- a) Presentation of City of Guelph medals to the following members of the Guelph U16AA Ringette Team in recognition of their winning the gold medal at the Provincial Championships and bronze medal at the National Ringette Championships: Halli Berry, Selena Case, Kali Curtis, Rachel Dickie, Samantha Gorgi, Breanna Hahn, Katrina Hart, Neely Jarvis, Anna Lawrence, Jasmine Leclerc, Gillian Marrow, Samantha Rogers, Nicole Shaw, and Stacey Warner and coaches Lisa Curtis, Mike Hahn, Karen Lawrence, Todd Marrow, Gary Shaw and Arlene Warner

## 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."

<b>COUNCIL CONSENT AGENDA</b>			
<b>ITEM</b>	<b>CITY PRESENTATION</b>	<b>DELEGATIONS (maximum of 5 minutes)</b>	<b>TO BE EXTRACTED</b>
CON-2013.12 410 Clair Road East: Proposed Changes to Site Plan Approval Conditions (File ZC0912/SP12C021) – Ward 6		• Taylor Beech	√
CON-2013.13 58 Fleming Road: Proposed Zoning By-law Amendment (File: ZC1301) – Ward 1			
CON-2013.14 Victoria Road South Reconstruction Contract 2- 1306			

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## **SPECIAL RESOLUTIONS**

### **BY-LAWS**

Resolution – Adoption of By-laws (Councillor Dennis)

### **MAYOR'S ANNOUNCEMENTS**

*Please provide any announcements, to the Mayor in writing, by 12 noon on the day of the Council meeting.*

### **NOTICE OF MOTION**

### **ADJOURNMENT**

## CONSENT AGENDA

June 4, 2013

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**

<b>REPORT</b>	<b>DIRECTION</b>
<p><b>CON-2013.12 410 CLAIR ROAD EAST: PROPOSED CHANGES TO SITE PLAN APPROVAL CONDITIONS (FILE: ZC0912/SP12C021)</b></p> <p>1. That the request by the Guelph Sikh Society for changes to the conditions of site plan approval, as outlined in Attachment 2 of Planning, Building, Engineering and Environment Report 13-24 dated June 4, 2013, be approved.</p>	Approve
<p><b>CON-2013.13 58 FLEMING ROAD: PROPOSED ZONING BY-LAW AMENDMENT (FILE: ZC1301) – WARD 1</b></p> <p>1. That the application by J.L. Cox Planning Consultants Ltd. for a Zoning By-law Amendment from the UR (Urban Reserve) Zone to a R.1C-? (Specialized Single Detached Residential) Zone to permit a single detached dwelling on a severed lot at the property municipally known as 58 Fleming Road, and legally described as Part of Lots 16 and 17, Registered Plan 468, City of Guelph, be approved in accordance with the zoning regulations and conditions outlined in Attachment 2 of Planning, Building, Engineering and Environment Report 13-28, dated June 4, 2013.</p> <p>2. 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 58 Fleming Road.</p>	Approve

**CON-2013.14      VICTORIA ROAD SOUTH RECONSTRUCTION  
CONTRACT 2-1306**

Approve

1. That the tender from Cox Construction Limited be accepted and that the Mayor and Clerk be authorized to sign the agreement for Contract 2-1306 for Victoria Road South Reconstruction between MacAlister Boulevard and Stone Road East for a total tendered price of \$1,965,242.01 with actual payment to be made in accordance with the terms of the contract.

attach.

# STAFF REPORT



TO City Council

SERVICE AREA Planning, Building, Engineering and Environment

DATE June 4, 2013

**SUBJECT 410 Clair Road East - Proposed Changes to Site Plan Approval Conditions (File ZC0912/SP12C021) Ward 6**

REPORT NUMBER 13-24

## EXECUTIVE SUMMARY

### PURPOSE OF REPORT

This report provides a staff recommendation to approve changes to site plan conditions recommended concurrently with Zoning By-law Amendment (2010)-19029 which rezoned the property at 410 Clair Road East to a Specialized R.4A-34 (Apartment Residential) Zone to permit a religious establishment. Proposed changes to the site layout and building require some changes to the conditions of site plan approval but do not require a further zoning by-law amendment.

### KEY FINDINGS

Planning staff support the proposed altered conditions as shown in Attachment 2.

### FINANCIAL IMPLICATIONS

None.

### ACTION REQUIRED

Council is being asked to approve the requested changes to the site plan conditions that were included with the Zoning By-law Amendment in 2010.

## RECOMMENDATION

1. That the request by the Guelph Sikh Society for changes to the conditions of site plan approval, as outlined in Attachment 2 of Planning, Building, Engineering and Environment Report 13-24 dated June 4, 2013, be approved.

## BACKGROUND

A Zoning By-law Amendment Application (ZC0912) was approved by Council in 2010 to add a use (religious establishment) and specialized regulations to the R.4A-34 Zone specific to the property municipally known as 410 Clair Road East. The intent of this rezoning was to permit a proposed Sikh Temple to be built on the site. As per our usual practice, a number of proposed site plan conditions were included with the rezoning, to be implemented by staff through the site plan approval

# STAFF REPORT



process. Working through the site plan approval process, the applicant has now made changes to the site concept and some of these site plan conditions can no longer be met. The applicant is requesting changes to, and removal of, specific conditions in order to proceed with a revised site layout and be able to obtain site plan approval to proceed with this development.

## **Location**

The subject site consists of 1.6 hectares of land located on the north side of Clair Road East between Tolton Drive and Victoria Road (see Attachment 1). Surrounding land uses include:

- To the north, proposed single-detached lots fronting on Goodwin Drive;
- To the east, single detached lots and cluster townhouses being built in accordance with an approved phase of Westminster Woods subdivision, 61M-177;
- To the south, an existing rural estate residential development across Clair Road East (Rolling Hills);
- To the west, on-street townhouses and single detached dwellings in accordance with registered Plan of Subdivision 61M-143 (Westminster Woods).

On the northerly portion of the site, there is also a three metre wide strip of land adjacent to Goodwin Drive that is owned by Westminster Woods that is also part of the original zoning application which is intended to be added to a portion of the lands from 410 Clair to create the single detached lots fronting on Goodwin Drive and provide servicing access for the 410 Clair site.

## **Zoning**

The rezoning approved in 2010 through by-law (2010)-19029 created a specialized R.4A-34 Zone on the site that permitted the proposed religious establishment use, together with specialized regulations for building height, maximum gross floor area and minimum buffer strip for a religious establishment. The zoning by-law map and regulations are found in Attachment 3.

## **REPORT**

The existing conditions of site plan approval were based on the site concept plan submitted with the application, as included in the 2010 decision report (Report 10-32, from June 7, 2010). Since this time, the applicant has hired a new architect and submitted a site plan application that differs from the originally approved site concept. The changes to the site concept and further development of the building plan mean that some of the conditions of approval can no longer be met. The current site plan is included in Attachment 6, together with the revised building elevations. Key changes shown in the site plan application include: new building elevations where the front facade of the building faces the street, an altered building location on the site, two entranceways to the site and revised parking area. These changes require altered conditions of site plan approval as follows:

# STAFF REPORT

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## **Conditions proposed to be altered:**

***Condition 1.a. The owner shall develop the site generally in accordance with the owner's Proposed Site Plan attached as Schedule 5 to the Community Design and Development Services Report 10-32 dated June 7, 2010, to the satisfaction of the Director of Community Design and Development Services.***

This condition needs to be altered to address the revised site layout in terms of building location, entranceways, parking area and building elevations.

The Site Plan Review Committee has reviewed the revised site plan and is generally satisfied with the plan as shown in Attachment 6 of this report, subject to Council approving the proposed changes to conditions. Staff propose that this condition be altered to refer to the site plan shown in this report.

***Condition 1.e. The owner and the City agree that adjacent property owners and the Westminster Woods Residents Association shall have an opportunity to review the owner's application for Site Plan Approval and all supporting materials as well as to provide comments with respect to the application prior to a final decision being made by the City with respect to Site Plan Approval.***

It is our understanding that the Westminster Woods Residents Association disbanded sometime in 2010, so removing the requirement for their review of the site plan is recommended. To ensure that adjacent owners have the opportunity to review the site plan, a notice was mailed to all property owners within 120 metres on May 1, 2013, inviting them to review the site plan and attend this Council meeting.

***Condition 20. Prior to site plan approval or consent, the owner agrees that the dwelling units on the subject site will be constructed to an ENERGY STAR standard that promotes energy efficiency standards, or the equivalent; and that the owner undertakes the energy and water efficiency measures described in the letter, dated May 11, 2010, as in Schedule 14 of the Community Design and Development Services Report 10-32 dated June 7, 2010, in order to comply with the Community Energy Plan, to the satisfaction of the Director of Community Design and Development Services.***

This condition needs to be altered because a revised letter regarding energy efficiency measures has been submitted with the site plan that references the new building proposed. This letter has been included in Attachment 7 of this report. The reference to "Energy Star" building requirements for the single-detached lots that front

# STAFF REPORT



onto Goodwin Drive has also been removed because the 2012 building code standards are equivalent to the Energy Star requirements in 2010.

Furthermore, Council included a resolution June 7, 2010, as shown in Attachment 3, that ***"the details of the design and determination of a walkway to Goodwin Drive be referred to the Site Plan Approval process."***

After several discussions with the applicant, it has been determined that a walkway to Goodwin Drive will not be developed at this time. The site will be fenced at Goodwin Drive, as this is the preference of the applicant from a security point of view and has been requested by some existing neighbours of the site. If determined to be desirable in the future, a walkway can still be provided to Goodwin Drive.

## **Conditions proposed to be removed:**

***Condition 1.c. The Owner agrees that the outdoor lights in the parking area shall automatically shut off each day between 11:00 p.m. and 6:00 a.m.***

The applicant has requested this condition be removed because they are concerned that there may be people parked on site occasionally late at night and would like the option to keep lighting on for better building security. Instead, the applicant has proposed that their lighting plan addresses lighting concerns and cut-off lighting is used to prevent lighting impacts on adjacent sites. This condition was added by Council in 2010 to address concerns raised by the neighbourhood regarding potential light impacts. Staff are satisfied that the lighting plan can address this issue.

***Condition 23. A building permit for Phase 2 shall be issued no sooner than 5 years from the date of the issuance of the Phase 1 building permit.***

Originally the building was proposed to be built in two phases. Now that time has passed, the applicants have decided to build the entire structure in one phase, to both better meet their needs and construct the building more efficiently. Staff have no concerns about permitting the building to be built in one phase.

***Condition 24. That a condition be included in the Site Plan Agreement that the total capacity of the religious establishment be posted as a maximum of 200 persons for phase 1 and 400 persons for phase 2.***

As with condition 23, this condition was added when the building was planned to be built in two phases. Staff have no concerns with removing this condition as we are satisfied that the building code will limit the capacity of the building appropriately.

# STAFF REPORT



## **Planning Staff Recommendation**

Planning staff support the changed conditions as proposed; overall changes to site design are relatively minor, do not impact the approved zoning regulations, and the change to conditions will facilitate the ability of the proposed development to proceed in a logical manner.

## **CORPORATE STRATEGIC PLAN**

**Strategic Direction 3.1:** Ensure a well designed, safe, inclusive, appealing and sustainable City.

## **DEPARTMENTAL CONSULTATION**

Staff from planning, urban design, environment, engineering, traffic and parks have been involved in the site plan review and are generally supportive of the site plan as proposed.

## **COMMUNICATIONS**

A notice was mailed to adjacent neighbours on May 1, 2013. Any public comments received will be provided to Council at this meeting and form part of the Council minutes.

## **ATTACHMENTS**

- Attachment 1 – Location Map
- Attachment 2 – Recommended Conditions (Revised)
- Attachment 3 – Existing Zoning Map and Regulations
- Attachment 4 – Council Resolution from June 7, 2010
- Attachment 5 – Site Concept from 2010 Zoning Approval
- Attachment 6 – Site Plan and Building Elevations Currently Proposed
- Attachment 7 – Revised Energy Efficiency Measures

### **Report Author**

Katie Nasswetter  
Senior Development Planner

### **Approved By**

Sylvia Kirkwood  
Manager of Development Planning

Original Signed by:

Original Signed by:

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### **Approved By**

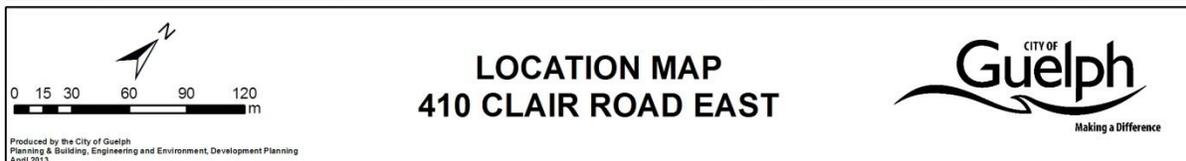
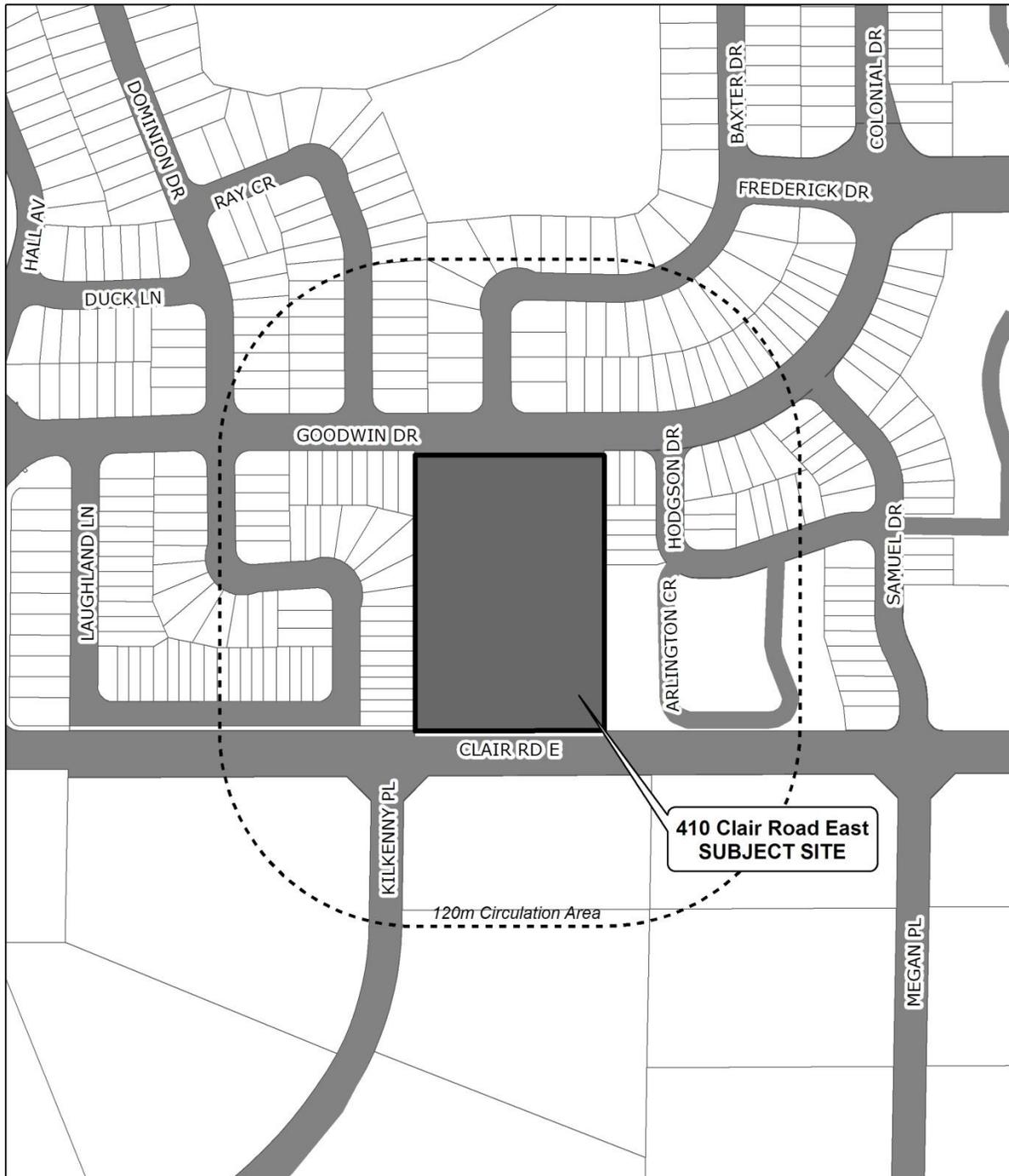
Todd Salter  
General Manager  
Planning Services  
519-822-1260, ext 2395  
todd.salter@guelph.ca

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### **Recommended By**

Janet L. Laird, Ph.D.  
Executive Director  
Planning, Building, Engineering  
and Environment  
519-822-1260, ext 2237  
janet.laird@guelph.ca

## ATTACHMENT 1 Location Map



## ATTACHMENT 2 Recommended Conditions (Revised)

The following conditions are provided as information to Council and will be imposed through site plan approval. (Revisions are shown as: ~~Removed~~, **Added**)

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. The owner's submission for site plan approval shall include the following conditions and requirements:
  - a. The owner shall develop the site generally in accordance with the owner's Proposed Site Plan **as shown in Attachment 6 of Planning, Building, Engineering and Environment Report 13-24, dated June 4, 2013, to the satisfaction of the General Manager of Planning Services.** ~~attached as Schedule 5 to the Community Design and Development Services Report 10-32 dated June 7, 2010, to the satisfaction of the Director of Community Design and Development Services.~~
  - b. The owner shall include as part of the site plan approval submission, a detailed outdoor lighting plan that minimizes lighting impact on adjacent properties and residences, to the satisfaction of the **General Manager of Planning Services** ~~Director of Community Design and Development Services~~, prior to site plan approval.
  - c. ~~The Owner agrees that the outdoor lights in the parking area shall automatically shut off each day between 11:00 p.m. and 6:00 a.m.~~
  - d. That additional landscaping and buffering be provided between the proposed parking area and the residential properties to the west of the site.
  - e. The owner and the City agree that adjacent property owners ~~and the Westminister Woods Residents Association~~ shall have an opportunity to review the owner's application for Site Plan Approval and all supporting materials as well as to provide comments with respect to the application prior to a final decision being made by the City with respect to Site Plan Approval.

# STAFF REPORT

2. The owner shall prepare a detailed tree inventory, protection, re-location, replacement and enhancement plan to identify trees to be retained, relocated and replaced either on-site or off-site, to the satisfaction of the **General Manager of Planning Services** ~~Director of Community Design and Development Services~~, prior to site plan approval. Further, the owner shall provide detailed information regarding the type, location, number, size and caliper of new plantings and shall include native species to the extent possible.
3. The owner shall pay to the City, as determined applicable by the City's Director of Finance, development charges and education development charges, in accordance with City of Guelph Development Charges By-law (2004)-17361, as amended from time to time, or any successor thereof, and in accordance with the Education Development Charges By-laws of the Upper Grand District School Board (Wellington County) and the Wellington Catholic District School Board, as amended from time to time, or any successor by-laws thereof, prior to issuance of a building permit, at the rate in effect at the time of issuance of the building permit.
4. The owner 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, prior to site plan approval.
5. The owner shall pay to the City, the City's total cost of reproduction and distribution of the Guelph Residents' Environmental Handbook, to all future homeowners or households within the project, with such payment based on a cost of one handbook per residential dwelling unit, as determined by the City, prior to the site plan approval.
6. Prior to site plan approval and prior to any construction or grading on the lands, the owner 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.
7. That the owner grades, develops and maintains the site including the storm water management facilities designed by a Professional Engineer, in accordance with a site plan that has been submitted to and approved by the City Engineer. Furthermore, the owner shall have the Professional Engineer who designed the storm water management system certify to the City that he/she supervised the construction of the storm water management system, and that the storm water management system was approved by the City and that it is functioning properly.
8. Prior to any development of the lands and prior to any construction or grading on the lands, the owner shall construct, install and maintain erosion and sediment control facilities, satisfactory to the City Engineer, in

# STAFF REPORT



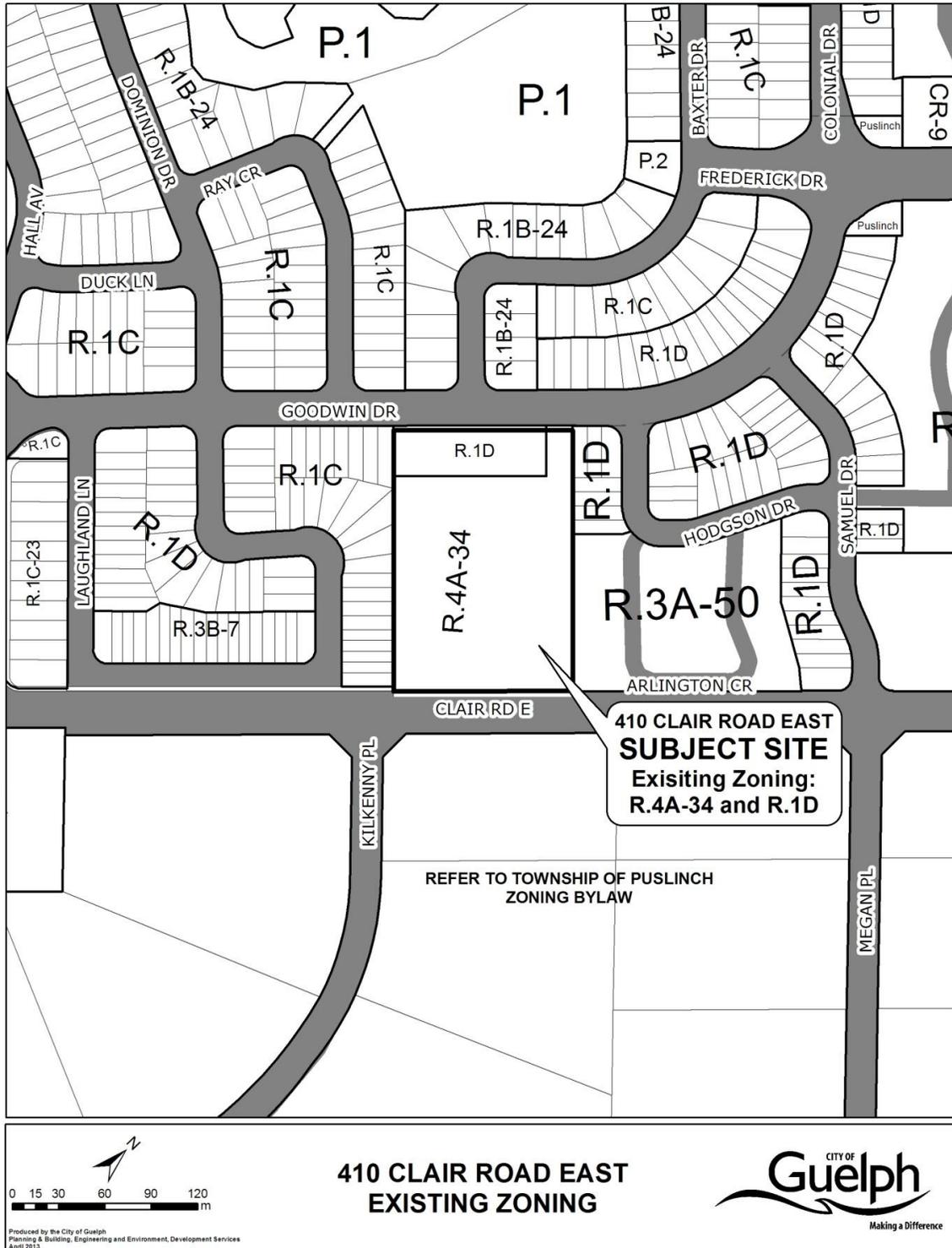
- accordance with a plan that has been submitted to and approved by the City Engineer.
9. The developer shall pay to the City the actual cost of the construction of the new driveway accesses, including the required curb cut and or fills, prior to site plan approval and prior to any construction or grading on the lands, the developer shall pay to the City the estimated cost as determined by the City Engineer of constructing the new driveway off Clair Road East and proposed residential driveway accesses on Goodwin Drive, including the required curb cut and or fills.
  10. The owner shall pay to the City the actual cost of constructing, installing or removal of any service laterals required and furthermore, prior to site plan approval, the owner shall pay to the City the estimated cost of the service laterals, as determined by the City Engineer.
  11. The owner shall construct the new buildings at such an elevation that the lowest level of the new buildings can be serviced with a gravity connection to the sanitary sewer.
  12. That any domestic wells, septic systems 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.
  13. Prior to site plan approval and prior to any construction or grading on the lands, the owner shall acquire a 2.898m strip of land abutting Goodwin Drive (Block 175, 61M-143) frontage as a lot addition in order to provide servicing and access for the subject lands.
  14. Prior to any development of the lands, the owner shall pay the frontage charge for the Clair Road East upgrades of \$741.01 per metre for 116.129 metres
  15. Prior to any development of the lands, the owner 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.
  16. That the owner 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 site plan approval.
  17. That all electrical services to the lands are underground and the owner 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 site plan approval.

# STAFF REPORT

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18. That all telephone and Cable TV service to the lands be underground and the owner shall enter into a servicing agreement with the appropriate service providers to provide for the installation of underground telephone service prior to site plan approval.
19. The owner 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 Citizenship, Culture and Recreation to the City indicating that all archaeological assessment and/or mitigation activities undertaken have met licensing and resource conservation requirements.
20. Prior to site plan approval or consent, the owner agrees ~~that the dwelling units on the subject site will be constructed to an ENERGY STAR standard that promotes energy efficiency standards, or the equivalent; and that the owner undertakes~~ **to undertake** the energy and water efficiency measures described in the letter, dated **April 26, 2013, as in Attachment 7 of Planning, Building, Engineering and Environment Report 13-24 dated June 4, 2013**, ~~May 11, 2010, as in Schedule 14 of the Community Design and Development Services Report 10-32 dated June 7, 2010,~~ in order to comply with the Community Energy Plan, to the satisfaction of the **General Manager of Planning Services** ~~Director of Community Design and Development Services.~~
21. The Owner agrees to enter into discussions with the City regarding the potential for a joint use agreement to allow the City to book for the proposed playing field for sporting activities.
22. The owner shall enter into a Site Plan 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.
- ~~23. A building permit for Phase 2 shall be issued no sooner than 5 years from the date of the issuance of the Phase 1 building permit.~~
- ~~24. That a condition be included in the Site Plan Agreement that the total capacity of the religious establishment be posted as a maximum of 200 persons for phase 1 and 400 persons for phase 2.~~

## ATTACHMENT 3 Existing Zoning Map



## ATTACHMENT 3(continued) Existing Zoning Regulations

- 18657  
19029
- 5.4.3.1.34 **R.4A-34**  
As shown on Defined Area Map Number 75 of Schedule “A” of this *By-law*.
- 5.4.3.1.34.1 **Permitted Uses**  
In accordance with the provisions of Section 5.4.1.1 of Zoning *By-law* (1995) – 14864, as amended, with the following addition:
- ***Religious Establishment***
- 5.4.3.1.34.2 **Regulations for a Religious Establishment**  
In accordance with the provisions of Section 5.4.2 of Zoning *By-law* (1995)-14864, as amended, with the following exceptions and additions:
- 5.4.3.1.34.2.1 **Maximum Building Height**  
Notwithstanding the provisions of Table 5.4.2, Row 10, the maximum ***Building Height*** shall be 11.5 metres.
- 5.4.3.1.34.2.2 **Minimum Buffer Strip**  
Notwithstanding the provisions of Table 5.4.2, Row 15, the minimum ***Buffer Strip*** along the westerly ***Lot Line*** shall be 7 metres wide.
- 5.4.3.1.34.2.3 **Maximum Gross Floor Area**  
The maximum ***Gross Floor Area*** shall be 2000 square metres.
- 5.4.3.1.34.3 **Regulations for a Nursing Home**  
In accordance with the provisions of Section 5.4.2 of this *By-law*, as amended, with the following exceptions and additions:
- 5.4.3.1.34.3.1 **Maximum Density**  
Notwithstanding the provisions of Table 5.4.2, Row 5, the maximum density shall be 192 beds and the minimum density shall be 160 beds.
- 5.4.3.1.34.3.2 **Maximum Building Height**  
Notwithstanding the provisions of Table 5.4.2, Row 10, the maximum ***Building Height*** shall be 3 ***Storeys***.
- 5.4.3.1.34.3.3 **Minimum Common Amenity Area**  
Notwithstanding the provisions of Table 5.4.2, Row 12, the minimum ***Common Amenity Area*** provided shall be 3500 square metres.
- 5.4.3.1.34.3.4 **Accessory Buildings or Structures**  
Notwithstanding the provisions of Table 5.4.2, Row 16, the maximum height of the garbage ***Structure*** shall be 5.5 metres.

# STAFF REPORT



## ATTACHMENT 4 June 7, 2010 Council Resolution



June 17, 2010

Mr. J. Valeriote  
Smith Valeriote Law Firm  
105 Silvercreek Pkwy. N., Suite 100  
Guelph, ON N1H 6S4

Community Design  
and Development Services

JUN 18 2010

Dear Mr. Valeriote:

At a meeting of Guelph City Council held June 7, 2010, the following resolution was adopted:

"THAT Report 10-32 dated June 7, 2010 regarding an application for a Zoning By-law Amendment for 410 Clair Road East from Community Design and Development Services be received;

AND THAT the application by Smith-Valeriote LLP for a Zoning By-law Amendment (File ZC0912) from the Specialized R.4A-34 Zone and A Zone to a new Specialized R.4A-34 Zone and R.1D Zone affecting the property known as 410 Clair Road East and legally described as Part of Part Lot 10, Concession 8, Township of Puslinch and Parts 1 and 19 on 61R-10932 City of Guelph, be approved in accordance with the permitted uses, regulations and conditions set out in Schedule 2, as amended, of Community Design and Development Services Report 10-32, dated June 7, 2010 and attached hereto as Schedule 2;

AND THAT Schedule 2 be amended to add the following condition 23:

23. *That a building permit for Phase 2 shall be issued no sooner than 5 years from the date of the issuance of the Phase 1 building permit;*

City Hall  
1 Carden St  
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Canada  
N1H 3A1

T 519-822-1260  
TTY 519-826-9771

guelph.ca

# STAFF REPORT

**ATTACHMENT 4 (continued)**  
**June 7, 2010 Council Resolution**



AND THAT condition 1(e) be modified to include that the Westminster Woods Neighbourhood Association be involved in the site plan review process;

AND THAT details of design and determination of a the walkway from Goodwin Drive be referred to the site plan approval process;

AND THAT during the site plan review, staff be directed to determine if the entrance onto the property could be three lanes wide and located to the east of the building, and have the entrance of the building facing Clair Road;

AND THAT staff follow the urban design guidelines in the Official Plan;

AND THAT staff be directed to undertake a facilitated consultation process with all stakeholders as part of the site plan review process to attempt to resolve site design issues;

AND THAT staff be directed to provide the definition of small scale religious establishments within the upcoming Official Plan Amendment 42;

AND THAT as a condition of site plan approval, the total capacity of the religious establishment be posted as a maximum of 200 persons in Phase 1 and 400 persons in Phase 2;

AND THAT the issue of creating an exemption policy to allow special events to exceed the posted capacity to the maximum allowed by the Building Code be referred to the Community Development and Environmental Services Committee;

AND THAT all applicable laws, provincial regulations and building code capacities be incorporated into the exemption policy.

Yours truly,

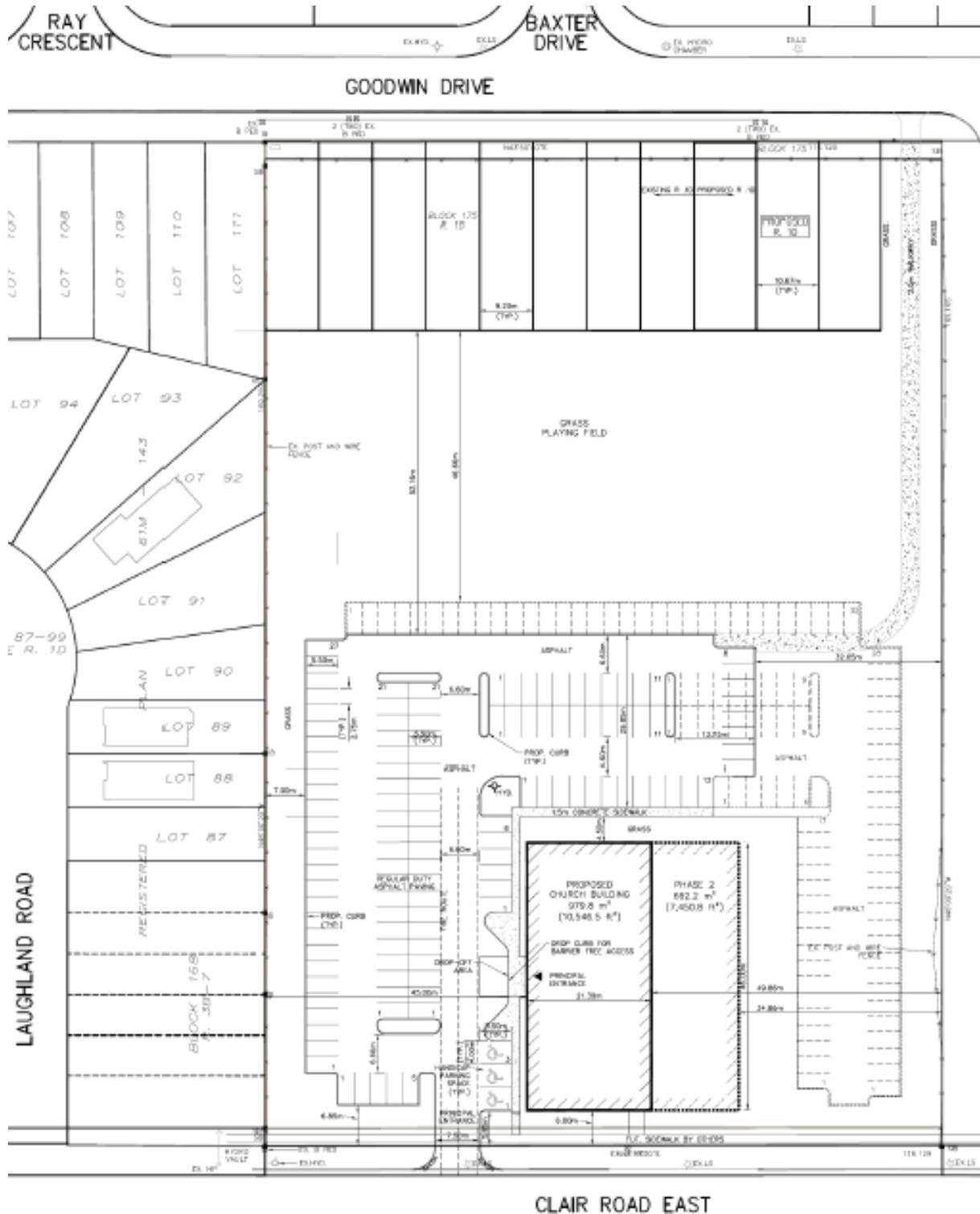
A handwritten signature in black ink, appearing to read "Tina Agnello".

Tina Agnello  
Deputy City Clerk

# STAFF REPORT

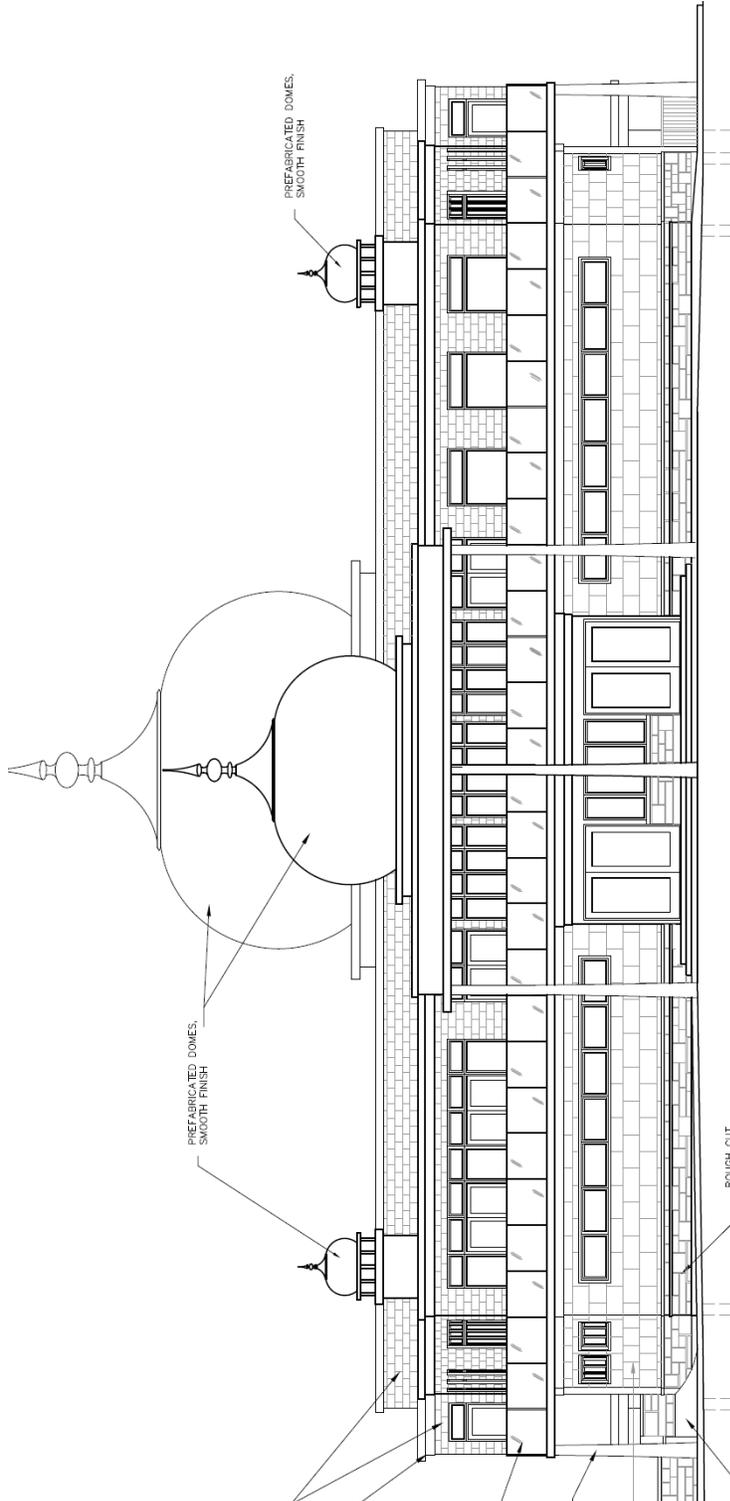
## ATTACHMENT 5

### Approved Zoning Site Concept (2010)



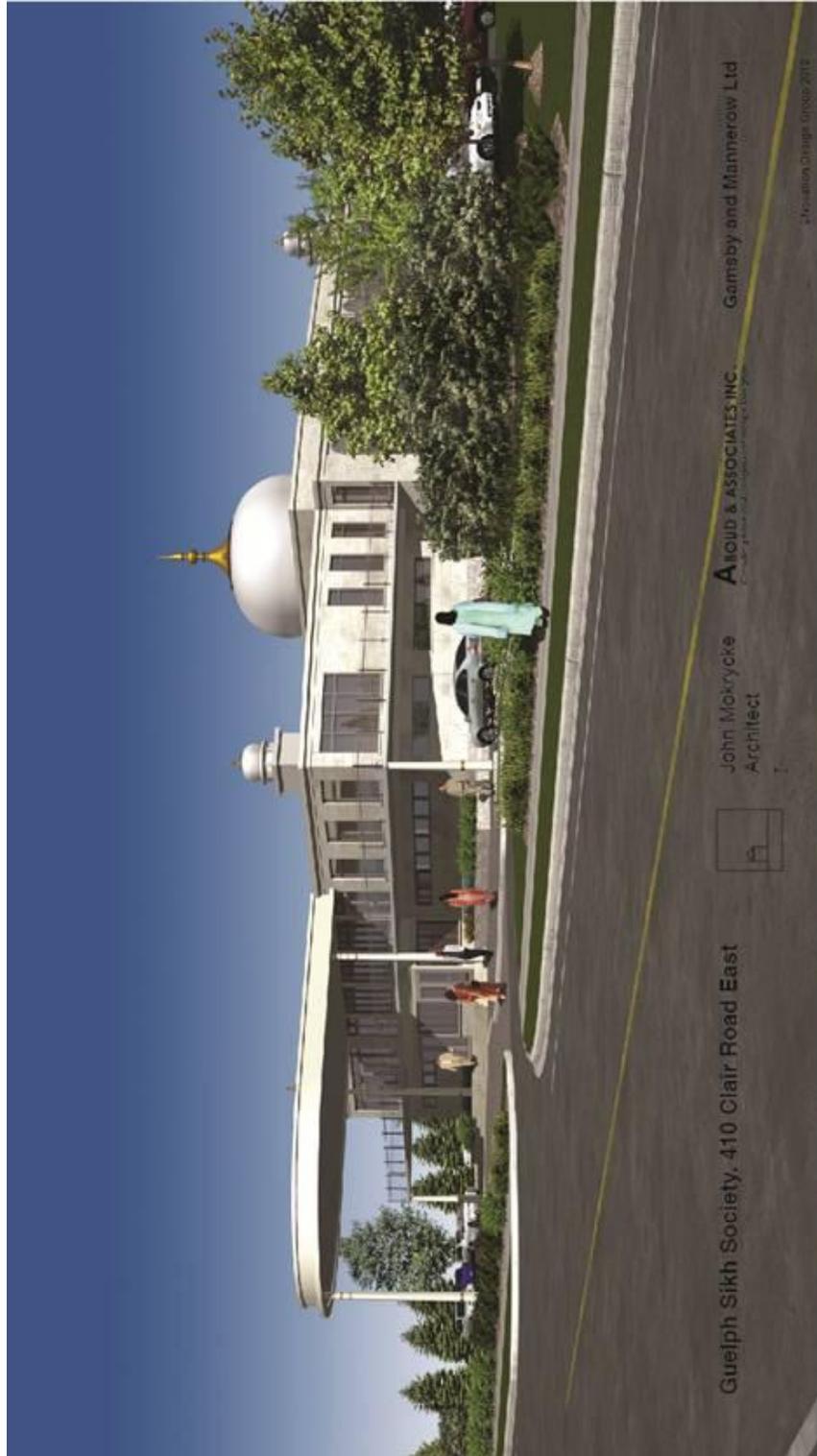


## ATTACHMENT 6 (continued) Proposed 2013 Front Building Elevation (Facing Clair Road East)



# STAFF REPORT

## ATTACHMENT 6 (continued) Proposed 2013 Site Rendering (From Clair Road East)



## ATTACHMENT 7

### Revised Energy Commitments

Proposed Energy and Water Efficiency Measures – 410 Clair Road East, Guelph

Date: April 26, 2013

Prepared with input from John Mokrycke Architect, PT Engineering, and Aboud Landscape Design

Design Features -ventilation	Natural ventilation will be incorporated into the glazing system wherever possible
Design Features -glazing	The glazing system will have low E glass, as well as a subtle tinted reflectivity
Design Features -recycling	Natural light will be available extensively throughout the building
Design Features -construction waste program	Waste recycling will be part of the building operation program
Design Features -construction waste program	A construction waste program will be incorporated during the construction of the new building
Design Features -local supplies	Building components will be sourced from local fabricators and suppliers
Design Features -mechanical systems	High efficiency boilers will be used in domestic hot water system
Design Features -mechanical systems	Rooftop HVAC units with heat recovery units will be used
Design Features -ozone depletion agent	Refrigerant 410a and energy star rating equipment to be used for rooftop units
Reduced Water Consumption	Low flow faucets and low flush toilets to be used
Natural Ventilation	Operational windows are not used in conjunction with HVAC controls
Electrical	High efficiency lighting fixtures with emphasis on LED or T5 lamps to be used in the building
Natural Light:	Contribution from natural light will be used in our lighting configuration in suitable locations
Electrical Control:	Lighting sensors will be used to conserve hydro usage
Site Lighting:	Exterior lighting uses LED fixtures with reflectors and cut off shields. Lighting is controlled by sensors and timers
Alternative Transportation	The congregation will be encouraged to walk and use (available) transit. Bicycle racks will be provided on Site
Existing and Proposed Trees	Maintaining existing trees (where possible) and new tree planting contributes to the overall rejuvenation of the urban forest.
Urban Development – Erosion and Sedimentation Control	A comprehensive erosion and sedimentation control plan is in effect throughout the redevelopment of the Site
Landscape and Exterior Design	The project incorporates the use of light coloured surface paving and exterior materials to increase reflectivity and decrease heat island effect
Water Efficient Landscaping	Drought resistant soft landscape material will be specified as much as possible
Stormwater Management	Roof and surface drains are provided to control the flow rate of stormwater

# STAFF REPORT



TO City Council

SERVICE AREA Planning, Building, Engineering and Environment

DATE June 4, 2013

**SUBJECT 58 Fleming Road - Proposed Zoning By-law Amendment  
(File: ZC1301)  
Ward 1**

REPORT NUMBER 13-28

## EXECUTIVE SUMMARY

### PURPOSE OF REPORT

This report provides a staff recommendation to approve a Zoning By-law Amendment to rezone the subject site to a Specialized R.1C-? Zone to permit an additional single detached dwelling on the site.

### KEY FINDINGS

Planning staff support the proposed rezoning as set out in Attachment 2 of this report.

### FINANCIAL IMPLICATIONS

Estimated Development Charges: \$24,004 (2013 rate)  
Estimated Annual Tax Increase: \$5000 for a single detached dwelling

### ACTION REQUIRED

Council is being asked to approve the Zoning By-law Amendment for the subject property.

## RECOMMENDATIONS

1. That the application by J.L. Cox Planning Consultants Ltd. for a Zoning By-law Amendment from the UR (Urban Reserve) Zone to a R.1C-? (Specialized Single Detached Residential) Zone to permit a single detached dwelling on a severed lot at the property municipally known as 58 Fleming Road, and legally described as Part of Lots 16 and 17, Registered Plan 468, City of Guelph, be approved in accordance with the zoning regulations and conditions outlined in Attachment 2 of Planning, Building, Engineering and Environment Report 13-28, dated June 4, 2013.
2. 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 58 Fleming Road.

# STAFF REPORT



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## **BACKGROUND**

An application for a Zoning By-law Amendment was received for the property municipally known as 58 Fleming Road from J.L. Cox Planning Consultants Inc. The application would permit the development of an additional single detached dwelling on a severed lot. The application was deemed to be complete on February 5, 2013.

The statutory Public Meeting was held on April 8, 2013. At this meeting, Council received staff Report 13-12 that provided a factual background of the property and information related to the proposed Zoning By-law Amendment application.

On November 27, 2012, the City of Guelph Committee of Adjustment granted conditional approval for a consent to sever application (B-55/12) to create the new lot from the subject lands, as illustrated in Attachment 5. Approval of this current zone change application was a condition of this Committee of Adjustment decision and is required prior to the creation of this new lot to accommodate an additional single detached dwelling (see Condition 13 in Attachment 2).

## **Location**

The subject property has a site area of 0.188 hectares and is located on the north side of Fleming Road, east of O'Connor Lane and west of Frasson Drive, as shown on Attachment 1. The subject property has a frontage of approximately 30 metres and a lot depth of approximately 60 metres. An existing single detached dwelling is located on the easterly portion of the subject property.

## **Existing Official Plan Land Use Designation and Policies**

The Official Plan land use designation that applies to the subject property is "General Residential", which permits a range of housing types including single and semi-detached residential dwellings. Attachment 3 includes the Official Plan designation and relevant policies.

## **Existing Zoning**

The subject property is zoned UR (Urban Reserve) Zone. This is a temporary zone with limited permitted uses to be in place until future uses can be determined. The new single detached dwelling proposed would not be permitted within the existing UR Zone. Details of the existing zoning are included in Attachment 4.

## **REPORT**

### **Description of Proposed Zoning Bylaw Amendment**

The applicant is requesting to rezone the entire subject property from the UR (Urban Reserve) Zone to the R.1C-? (Specialized Residential Single Detached) Zone to permit the development of an additional single detached dwelling on the severed parcel. The existing single detached dwelling at 58 Fleming Road would remain on the retained lands. The proposed R.1C zoning would apply both to the severed parcel and the existing single detached dwelling on the retained lands at 58 Fleming Road.

# STAFF REPORT



The proposed R.1C-? Zone includes one specialized zoning regulation that would require a minimum front yard setback of 9 metres, in lieu of the standard 6 metres. The applicant has agreed to the inclusion of this specialized regulation within the proposed zoning, as recommended by staff to address the prevailing front yard setbacks of existing dwellings adjacent to the severed lot.

The details of the proposed R.1C-? Zone are included in Attachment 4.

## **Proposed Development**

The applicant's proposed development (severance sketch and proposed site plan) is included in Attachment 5. The proposed new lot to be severed is shown with a frontage of 12.8 metres and a depth of 51.9 metres. The existing house at 58 Fleming Road would remain on the retained lands with a frontage of approximately 18 metres.

The applicant's proposed site plan in Attachment 5 illustrates the location of the existing single detached dwelling on the retained lands and the proposed single detached dwelling on the severed parcel.

## **Staff Review/Planning Analysis**

Planning staff have reviewed the proposed application and support the rezoning that would permit the development of a new single detached dwelling on a severed lot. The proposed Zoning By-law Amendment is an opportunity for infill within the City's built-up area, in keeping with the requirements under the Provincial Places to Grow legislation which will require 40% of all new development to be within the City's Built Boundary annually. This further intensification also meets policies with the Provincial Policy Statement through making more efficient and effective use of land in an area of the City with full municipal services.

The proposed single detached dwelling on the severed lot and the existing dwelling on the retained lot meets the regulations of the proposed R.1C Zone and the "General Residential" policies of the Official Plan. The Official Plan encourages intensification and infill development within older established areas of the City that are compatible with the existing residential neighbourhood. The proposed infill development of one additional single detached dwelling is compatible with the form and scale of existing residential development in the area, which is characterized by a mixture of older and newer low density single detached housing.

The specialized zoning regulation requiring a minimum front yard setback of 9 metres (in lieu of the standard 6 metres) has been recommended to respect the setbacks of existing homes along Fleming Drive. This will help ensure that the front yard setback of the new dwelling is more in keeping with the existing adjacent homes.

Although there was no delegations at the April 8, 2013 Public Meeting, a written comment was received from the adjacent resident to the west of the proposed severed parcel. The concern expressed was regarding the possibility of a 2 storey dwelling being constructed next to their existing house, which in their opinion would

# STAFF REPORT



have impact on their privacy. As noted by staff at the Public Meeting, the new dwelling is proposed to be constructed as a one storey bungalow. Attachment 6 illustrates the building elevations of the proposed dwelling. Further, Condition 15 in Attachment 2 includes the requirement, as a condition of the approved consent application, for staff to review and approve the final building elevations and site plan prior to the issuance of a building permit.

## Minor Application Revisions

A revision was made to the application since the April 4, 2013 Public Meeting to include the specialized minimum front yard setback of 9 metres. This change to ensure the new dwelling maintains a compatible front yard setback with adjacent dwellings is minor and therefore staff recommend that no further public notice is required in accordance with Section 34(17) of the Planning Act.

## CORPORATE STRATEGIC PLAN

**Strategic Direction 3.1:** Ensure a well designed, safe, inclusive, appealing and sustainable City.

## COMMUNICATIONS

The Notice of Complete Application was mailed February 19, 2013 to local boards and agencies, City service areas and property owners with 120 metres of the subject site for comments. The same notice was provided by signage on the site. The Notice of Public Meeting was advertised in the Guelph Tribune on March 14, 2013 and circulated to current owners within 120 metres of the site on March 18, 2013.

## ATTACHMENTS

- Attachment 1: Location Map
- Attachment 2: Recommended Zoning Regulations and Conditions
- Attachment 3: Existing Official Plan Land Use Designations and Policies
- Attachment 4: Existing and Proposed Zoning
- Attachment 5: Proposed Severance Sketch and Site Plan
- Attachment 6: Proposed Building Elevations
- Attachment 7: Circulation Comments Summary
- Attachment 8: Public Notification Summary

### Report Author

Chris DeVriendt  
Senior Development Planner

### Approved By

Sylvia Kirkwood  
Manager of Development Planning

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### Approved By

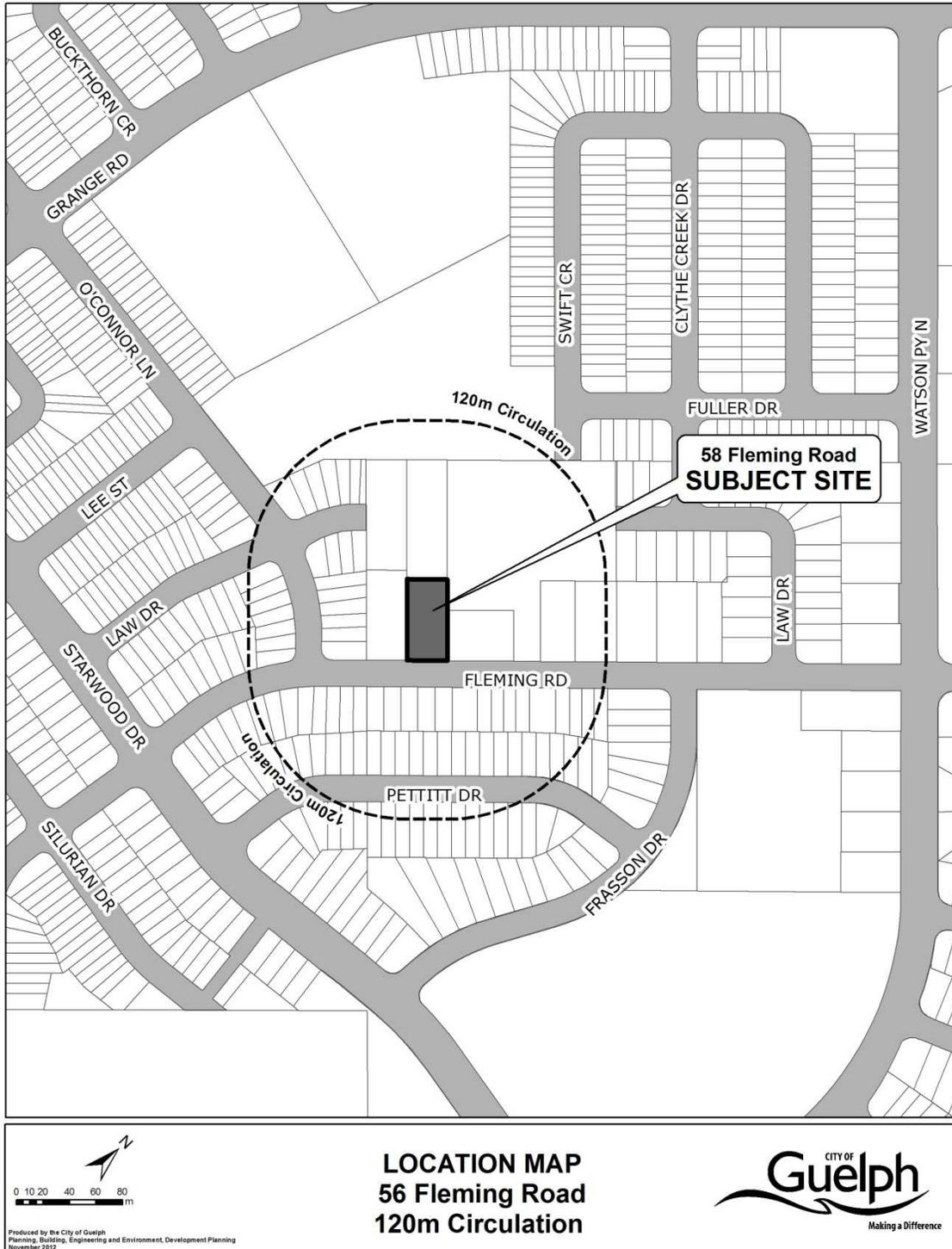
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### Recommended By

Janet Laird, Ph.D.  
Executive Director  
Planning, Building, Engineering  
and Environment  
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janet.laird@guelph.ca

## Attachment 1 – Location Map



# STAFF REPORT



## **ATTACHMENT 2 - Recommended Zoning Regulations and Conditions**

The property affected by the Zoning By-law Amendment application is municipally known as 58 Fleming Road, and legally described as Part of Lots 16 and 17, Registered Plan 468, City of Guelph.

### **PROPOSED ZONING**

The following zoning is proposed for the subject site:

#### **R.1C-? (Specialized Single Detached Residential) Zone**

In accordance with Section 5.1 of Zoning By-law (1995)-14864, as amended, with the following exception:

Minimum Front Yard  
9 metres

### **CONDITIONS**

The following conditions were imposed through the approval of the Committee of Adjustment consent to sever application B-55/12 and are provided as information to Council.

1. That the owner pay to the City, as determined applicable by the City's Director of Finance, development charges and education development charges, in accordance with City of Guelph Development Charges By-law (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 thereof, prior to issuance of a building permit, at the rate in effect at the time of issuance of the building permit.
2. That the owner pays the actual cost of the construction of the new driveway entrance including the required curb cut and/or curb fill, with the estimated cost of the works as determined necessary by the General Manager/City Engineer being paid, prior to the issuance of a building permit.
3. That prior to the issuance of any building permits on the proposed severed lands, the owner shall pay the flat rate charge established by the City per metre of road frontage to be applied to tree planting for the proposed severed lands.

# STAFF REPORT

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4. That the owner constructs the new dwelling at such an elevation that the lowest level of the building can be serviced with a gravity connection to the sanitary sewer.
5. That the owner shall pay the actual costs associated with the removal of the existing structure/shed and any other materials from the severed parcel, prior to endorstation of the deeds.
6. That the owner enters into a Storm Sewer Agreement with the City, satisfactory to the General Manager/City Engineer, prior to endorstation of the deeds.
7. That a legal off-street parking space be created on the severed parcel at a minimum setback of 6-metres from the property line at the street.
8. Prior to endorstation of the deeds, the owner will be required to ensure that any domestic wells or monitoring wells and boreholes drilled for hydrogeological or geotechnical investigations are properly decommissioned in accordance with current Ministry of the Environment Regulations and Guidelines to the satisfaction of the General Manager/City Engineer.
9. Prior to the issuance of any building permit, the owner shall construct, install and maintain erosion and sediment control facilities, satisfactory to the General Manager/City Engineer, in accordance with a plan that has been submitted to and approved by the General Manager/City Engineer.
10. Prior to the issuance of a building permit, the owner agrees to place a notification in the offer of purchase and sale for the lot that sump pumps will be required unless a gravity outlet for the foundation drain can be provided on the lot. Furthermore, all sump pumps must be discharged to the rear yard.
11. That all electrical services to the lands are underground and the owner shall make satisfactory arrangements with the Engineering Department of Guelph Hydro Electric Systems Inc. for the servicing of the proposed severed lands, prior to the issuance of any building permit.
12. The owner shall ensure that all telephone service and cable TV service on the lands shall be underground. The owner shall enter into a servicing agreement with the appropriate service providers for the installation of underground utility services.

# STAFF REPORT

13. That the applicant apply for and receive approval to amend Zoning By-law (1995)-14864 to change the Zoning category on the severed and retained parcel to a suitable single detached residential Zoning category, prior to endorsement of the deeds;
14. That any accessory structures and any vehicles parked on the subject property's landscaped open space be removed, prior to endorsement of the deeds;
15. That a site plan, elevations and design drawings for the new dwelling on the severed parcel be submitted to, and approved by the General Manager of Planning Services and the City Engineer, prior to the issuance of a building permit for the new dwelling on the severed parcel indicating and showing:
  - a) The location and design of the new dwelling;
  - b) All trees on the subject property, including the extent of their canopies that may be impacted by the development. Any trees within the City boulevard must also be shown, including appropriate protective measures to maintain them throughout the development process. The plan should identify trees to be retained, removed and/or replaced and the location and type of appropriate methods to protect the trees to be retained during all phases of construction.
  - c) The physical location of the new dwelling with a setback that is in character with the surrounding area;
  - d) The design of the new dwelling, to ensure that it respects the character of the surrounding neighbourhood in all aspects including the proposed massing, building setbacks and the size and location of any proposed garage;
  - e) Grading, drainage and servicing information;
16. That prior to the issuance of a building permit for the severed parcel, any required tree protection fencing be erected on-site and inspected by staff to the satisfaction of the General Manager of Planning Services;
17. That no vegetation removal shall occur during the breeding bird season (May-July), as per the Migratory Bird Act;
18. 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

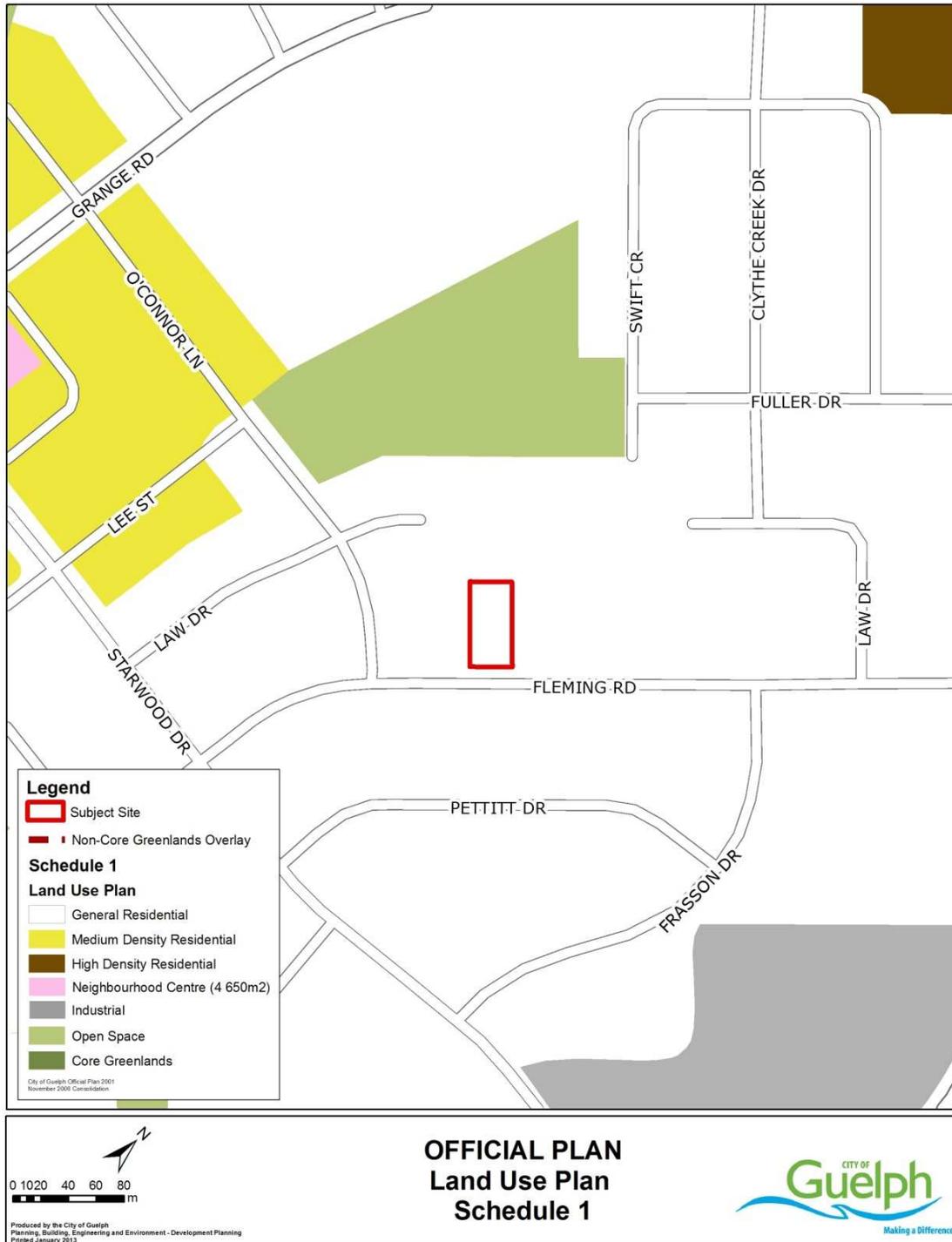
# STAFF REPORT



- time to time, or any successor thereof, prior to the endorsation of the deeds, at the rate in effect at the time of the endorsation.
19. That the owner shall pay to the City, the City's total cost of reproduction and distribution of the Guelph Residents' Environmental Handbook, with such payment based on a cost of one handbook per residential dwelling unit, as determined by the City, prior to the issuance of any building permit for the lands.
  20. That prior to the endorsation of the deeds, the owner shall enter into an agreement with the City, registered on title, agreeing to satisfy the above-noted conditions and to develop the site in accordance with the approved plans.
  21. That the documents in triplicate with original signatures to finalize and register the transaction be presented to the Secretary-Treasurer of the Committee of Adjustment along with the administration fee required for endorsement, prior to November 30, 2013.
  22. That all required fees and charges in respect of the registration of all documents required in respect of this approval and administration fee be paid, prior to the endorsement of the deed.
  23. That the Secretary-Treasurer of the Committee of Adjustment be provided with a written undertaking from the applicant's solicitor, prior to endorsement of the deed, that he/she will provide a copy of the registered deed/instrument as registered in the Land Registry Office within two years of issuance of the consent certificate, or prior to the issuance of a building permit (if applicable), whichever occurs first.
  24. That a Reference Plan be prepared, deposited and filed with the Secretary-Treasurer which shall indicate the boundaries of the severed parcel, any easements/rights-of-way and building locations. The submission must also include a digital copy of the draft Reference Plan (version ACAD 2010) which can be forwarded by email (cofa@guelph.ca) or supplied on a compact disk."

# STAFF REPORT

## Attachment 3 - Existing Official Plan Designations and Related Policies

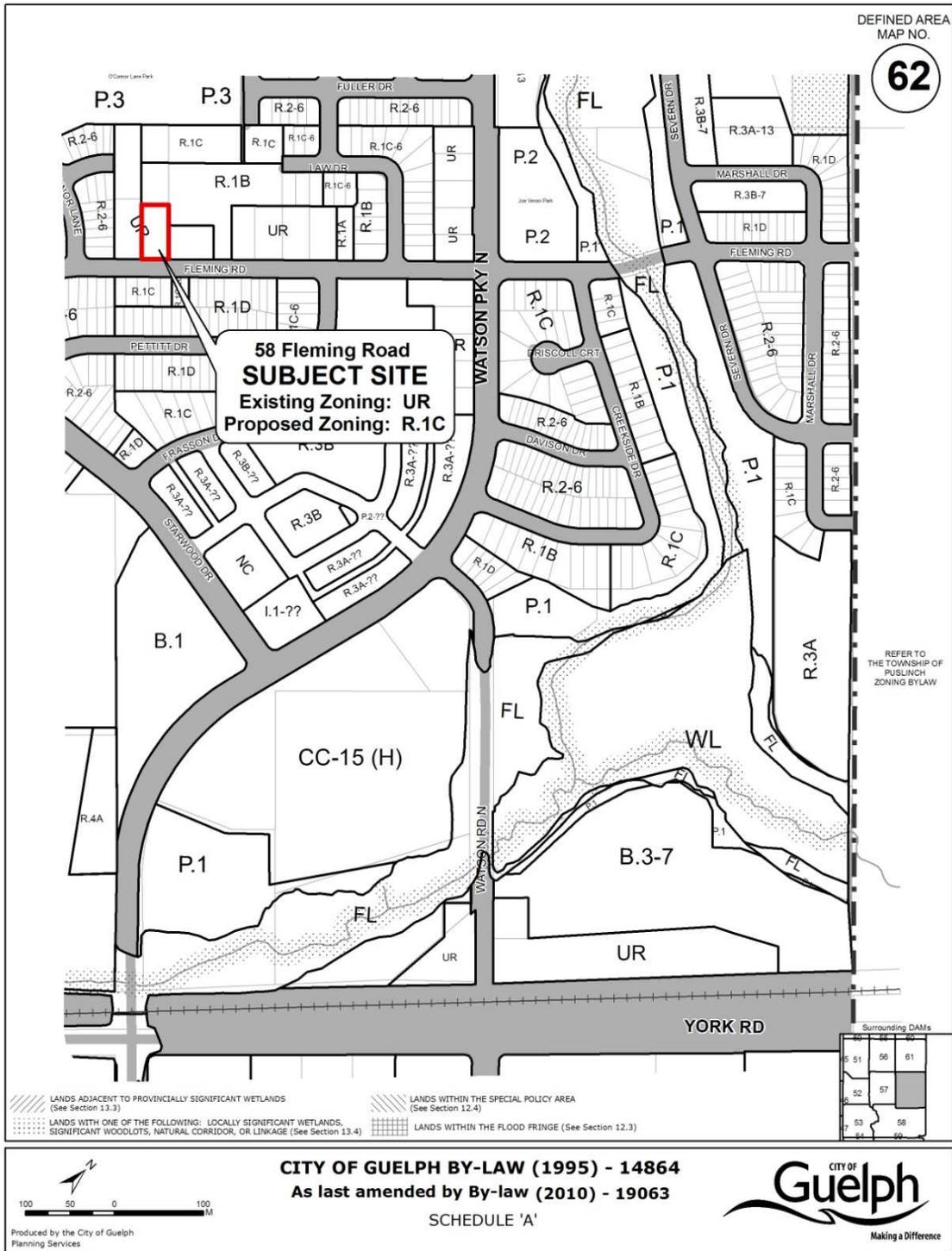


## Attachment 3 continued: Related Official Plan Policies

### '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.

## Attachment 4: Existing and Proposed Zoning



## Attachment 4 continued: Existing Zoning

### SECTION 11 – URBAN RESERVE (UR) ZONE

#### 11.1 PERMITTED USES

The following are permitted uses within the Urban Reserve (UR) Zone:

- Agriculture, Livestock Based
- Agriculture, Vegetation Based (mushroom farms shall not be permitted)
- Conservation Area
- Flood Control Facility
- Outdoor Sportsfield Facilities
- Recreation Trail
- Wildlife Management Area
- Accessory Uses in accordance with Section 4.23

#### 11.2 REGULATIONS

Within the Urban Reserve (UR) Zone, no land shall be Used and no Building or Structure shall be erected or Used except in conformity with the applicable regulations contained in Section 4 – General Provisions and the following regulations:

##### 11.2.1 Minimum Separation Distances Regulating Livestock Based Agriculture

Minimum separation distances for Livestock Based Agriculture operations shall be based on the Minimum Separation Distance requirements for livestock farms required by the Ontario Ministry of Agriculture and Food.

##### 11.2.2 Permitted Building or Structure

In addition to all other provisions of this Section, a permitted Building or Structure shall only be permitted in accordance with all of the following regulations:

###### 11.2.2.1 Minimum Side Yard

Equal to one-half the Building Height but in no case less than 3 metres.

###### 11.2.2.2 Minimum Rear Yard

Equal to one-half the Building Height but in no case less than 7.5 metres.

###### 11.2.2.3 Minimum Front Yard

7.5 metres or as set out in Section 4.24, whichever is greater.

###### 11.2.2.4 Off-Street Parking

No off-Street parking shall be located within 3 metres of any boundary of an UR Zone.

###### 11.2.2.5 Off-Street Loading

No off-Street loading shall be located within 3 metres of any boundary of an UR Zone.

##### 11.2.3 Accessory Building or Structure

Despite Section 4.5, an accessory Building or Structure shall be permitted only in accordance with the following regulations:

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## Attachment 4 (continued): Existing Zoning Details

11.2.3.1 No accessory Building or Structure shall be used for human habitation.

11.2.3.2 No accessory Building or Structure shall be located between the Street Line and any Setback line.

11.2.3.3 No accessory Building or Structure shall be located in any Side Yard.

11.2.3.4 No accessory Building or Structure shall be located closer to any Lot Line than one-half Building Height or 7.5 metres, whichever is greater.

### 11.2.4 Lighting of Outdoor Sportsfield Facilities

Outdoor Sportsfield Facilities shall be permitted to have lighting facilities developed in accordance with Section 4.18.1.

# STAFF REPORT

## Attachment 4 (continued): Proposed Zoning Details

### R.1C-? (Specialized Residential Single Detached) Zone

#### PERMITTED USES

In accordance with the following uses included within the standard R.1C Zone:

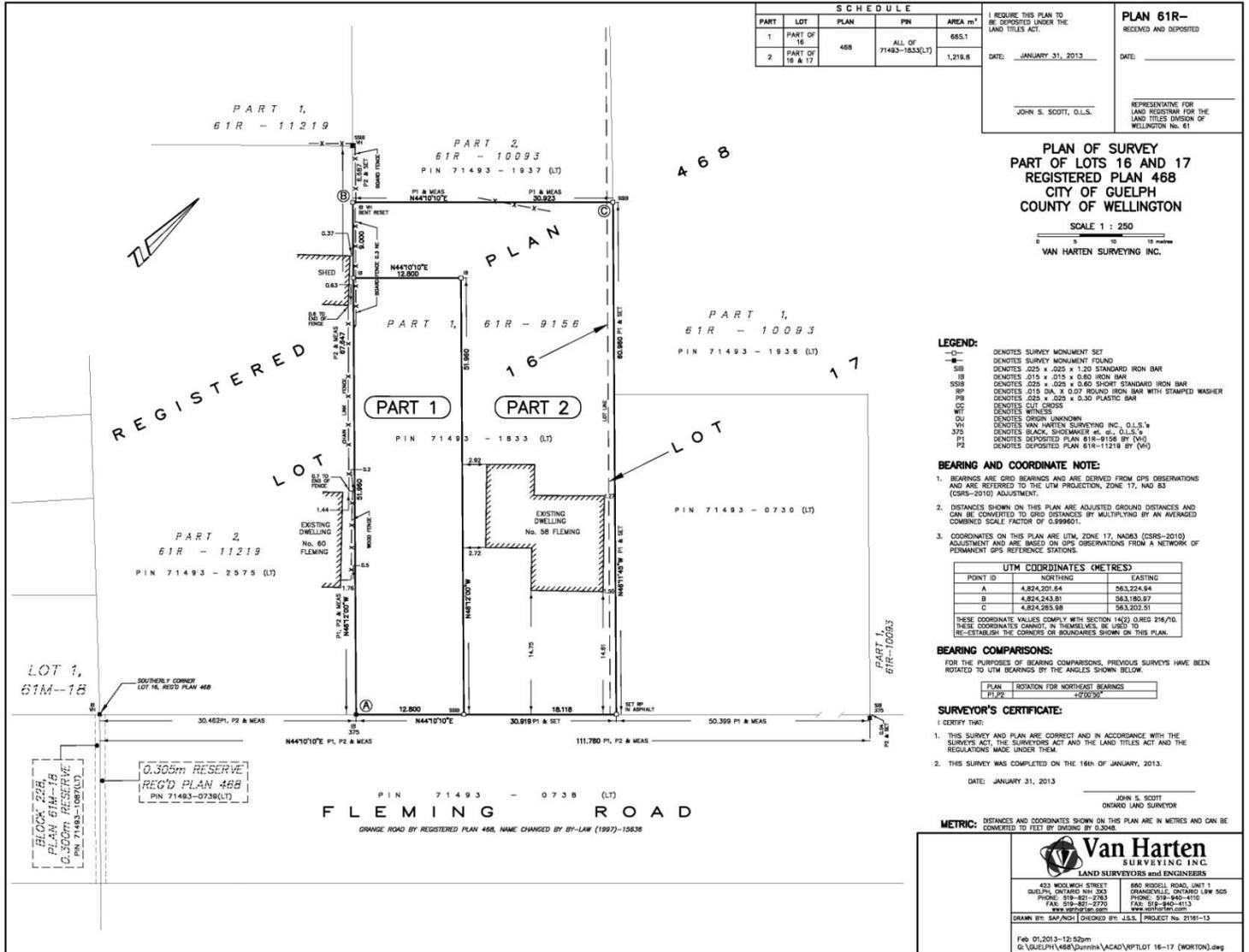
- Single Detached Dwelling
- Accessory Apartment
- Bed and Breakfast Establishment
- Day Care Centre
- Group Home
- Home Occupations
- Lodging House Type 1

#### REGULATIONS

Regulation	Required in the Standard R.1C Zone
Minimum Lot Area	370m <sup>2</sup>
Minimum Lot Frontage	12m
Maximum Building Height	3 storeys
Minimum Front Yard	9m (in lieu of 6m within the standard R.1C Zone)
Minimum Exterior Side Yard	4.5m
Minimum Side Yard	
1 to 2 storeys	1.2m
Over 2 storeys	1.2m
Minimum Rear Yard	7.5m or 20% of the lot depth
Accessory Buildings or Structures	Section 4.5
Fences	Section 4.20
Off-Street Parking	Section 4.13
Minimum Landscaped Open Space	The front yard of any lot, excepting the driveway shall be landscaped and no parking shall be permitted within this landscaped open space. The driveway shall not constitute more than 40% of the front yard. A minimum area of 0.5m between the driveway and the nearest lot line must be maintained as a landscaped space in the form of grass, flowers, trees, shrubbery, natural vegetation and indigenous species
Garbage, Refuse Storage & Composters	In accordance with Section 4.9

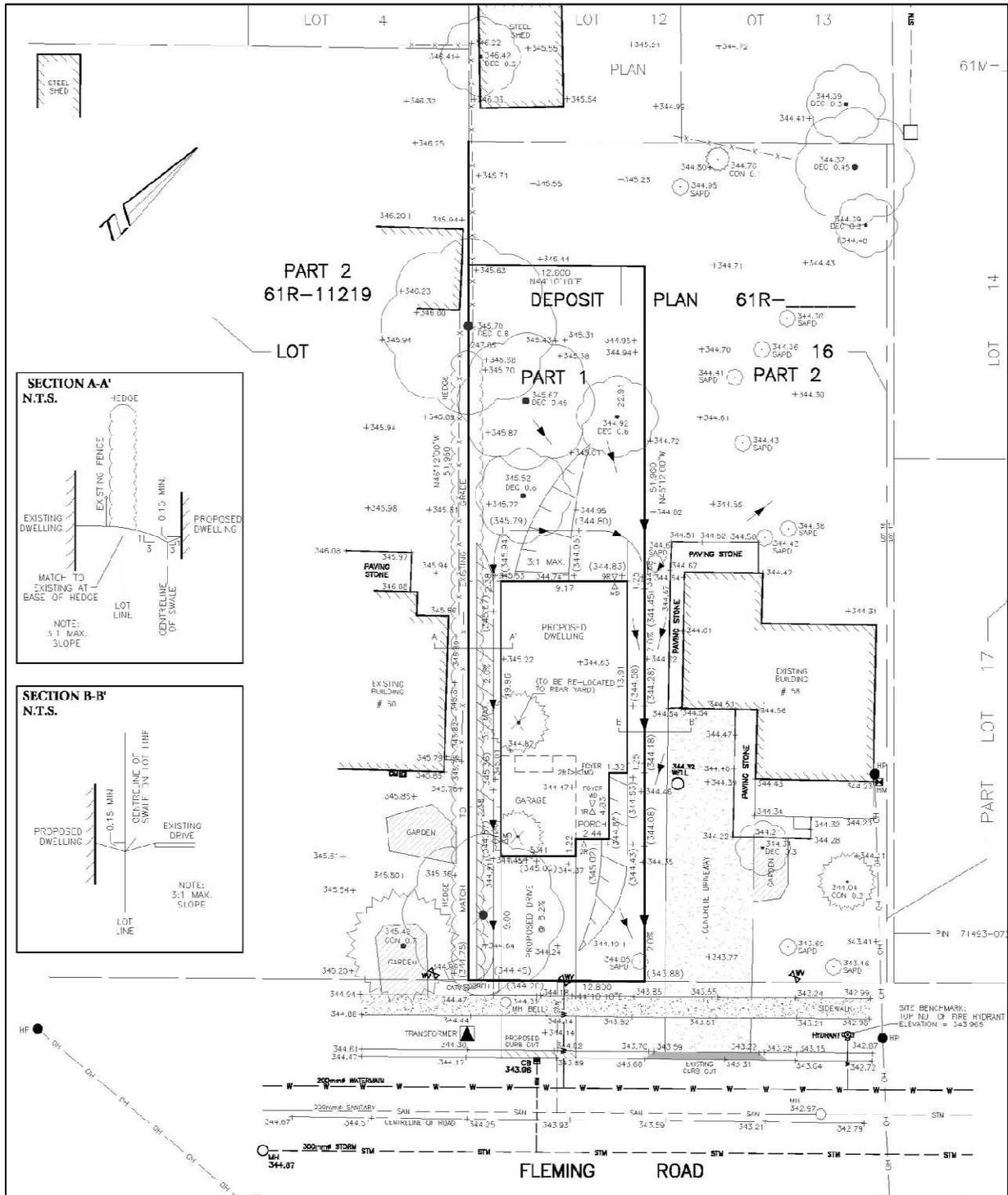
# STAFF REPORT

## Attachment 5 – Severance Sketch



# STAFF REPORT

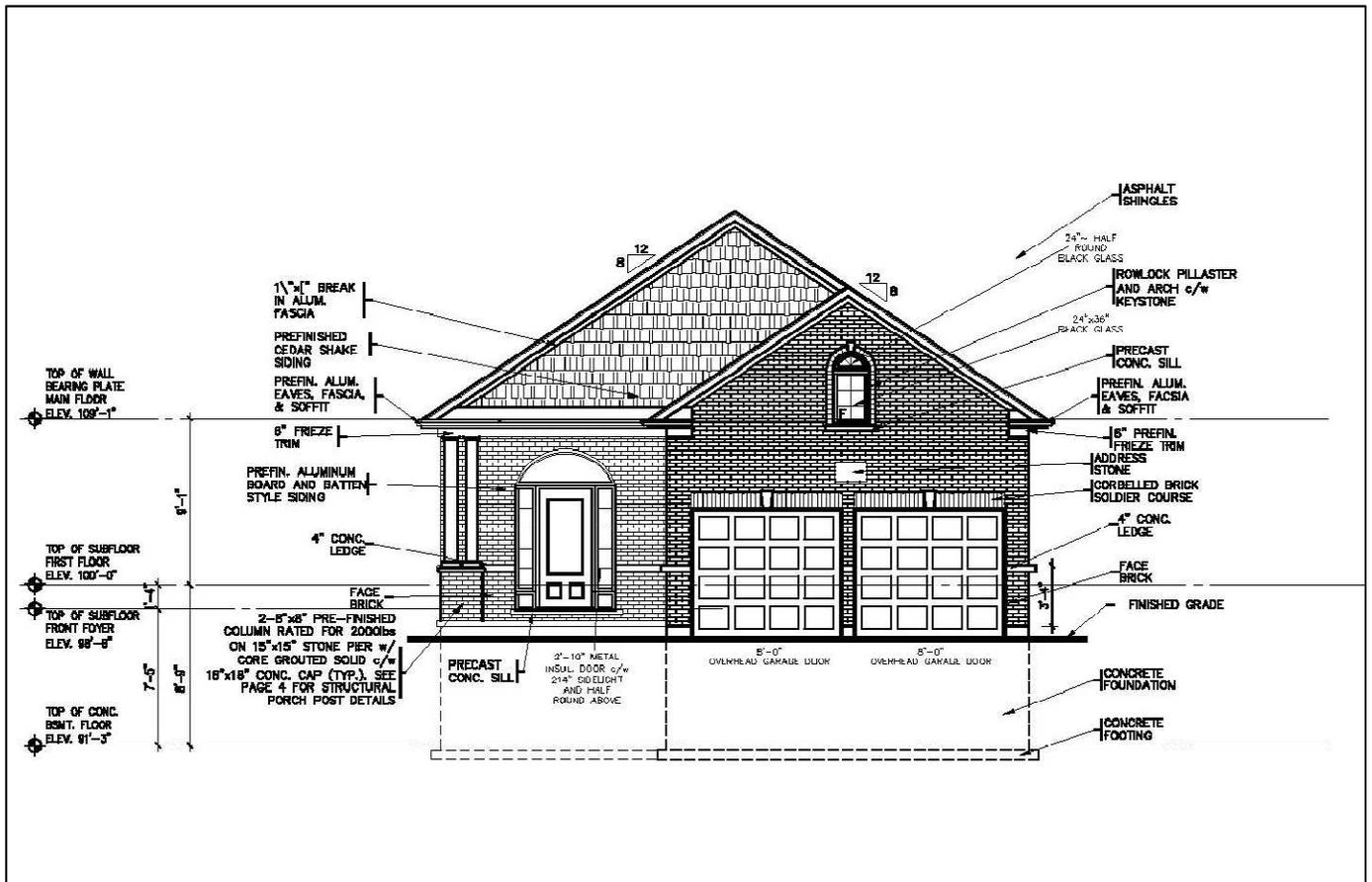
## Attachment 5 (continued) - Proposed Site Plan Sketch



# STAFF REPORT

## Attachment 6 – Proposed Building Elevations

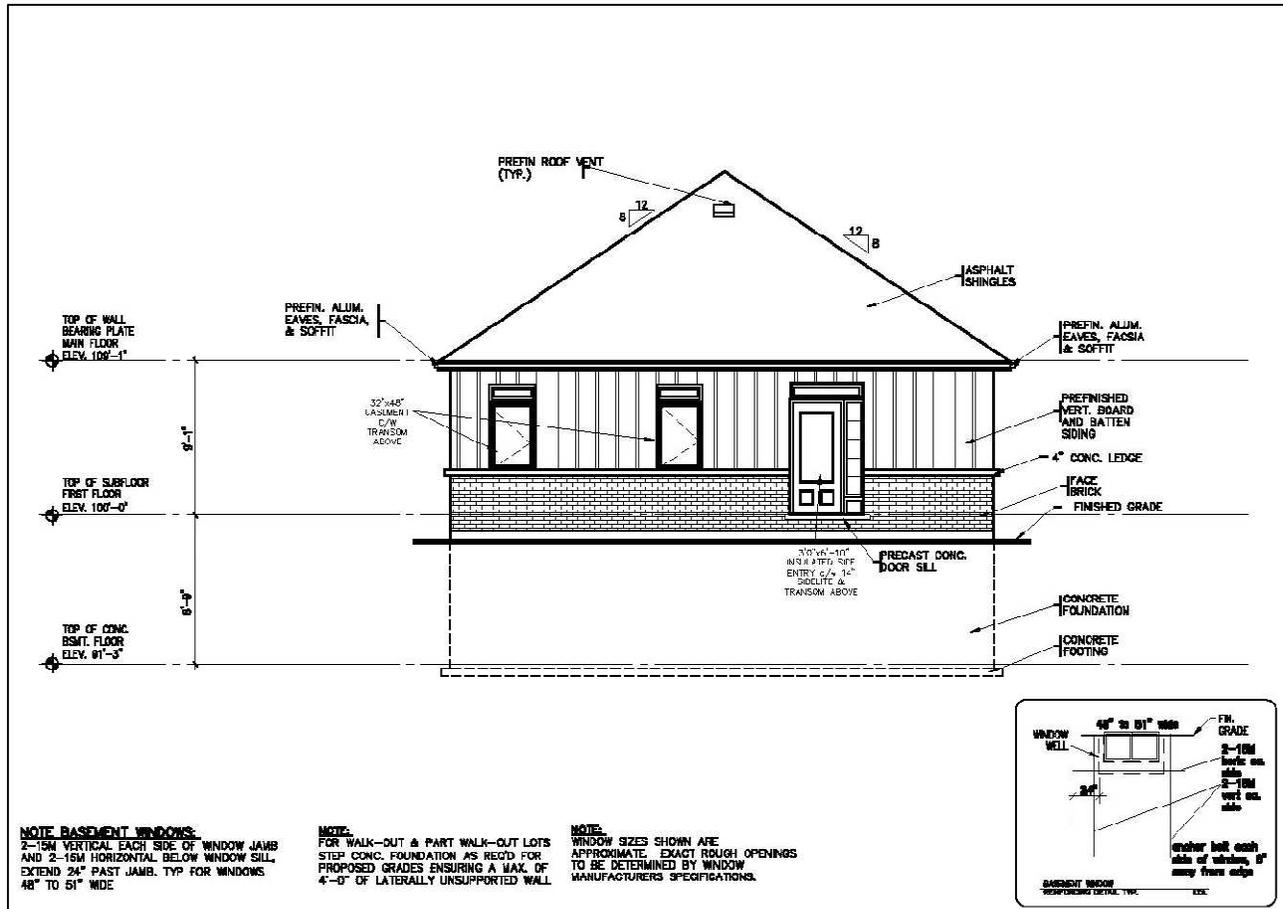
### Front Elevation



# STAFF REPORT

## Attachment 6 (continued)– Proposed Building Elevations

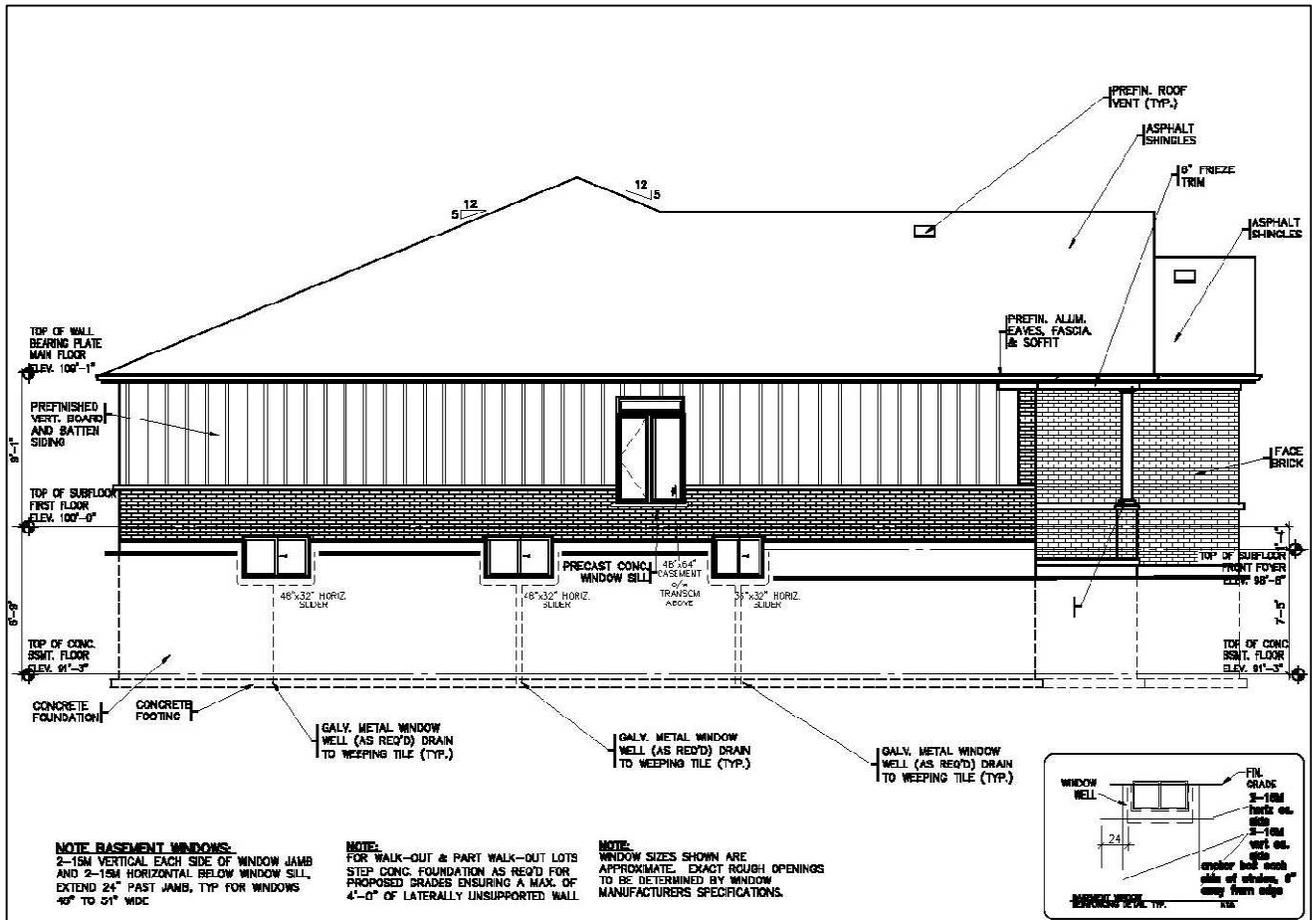
### Rear Elevation



# STAFF REPORT

## Attachment 6 (continued) – Proposed Building Elevation

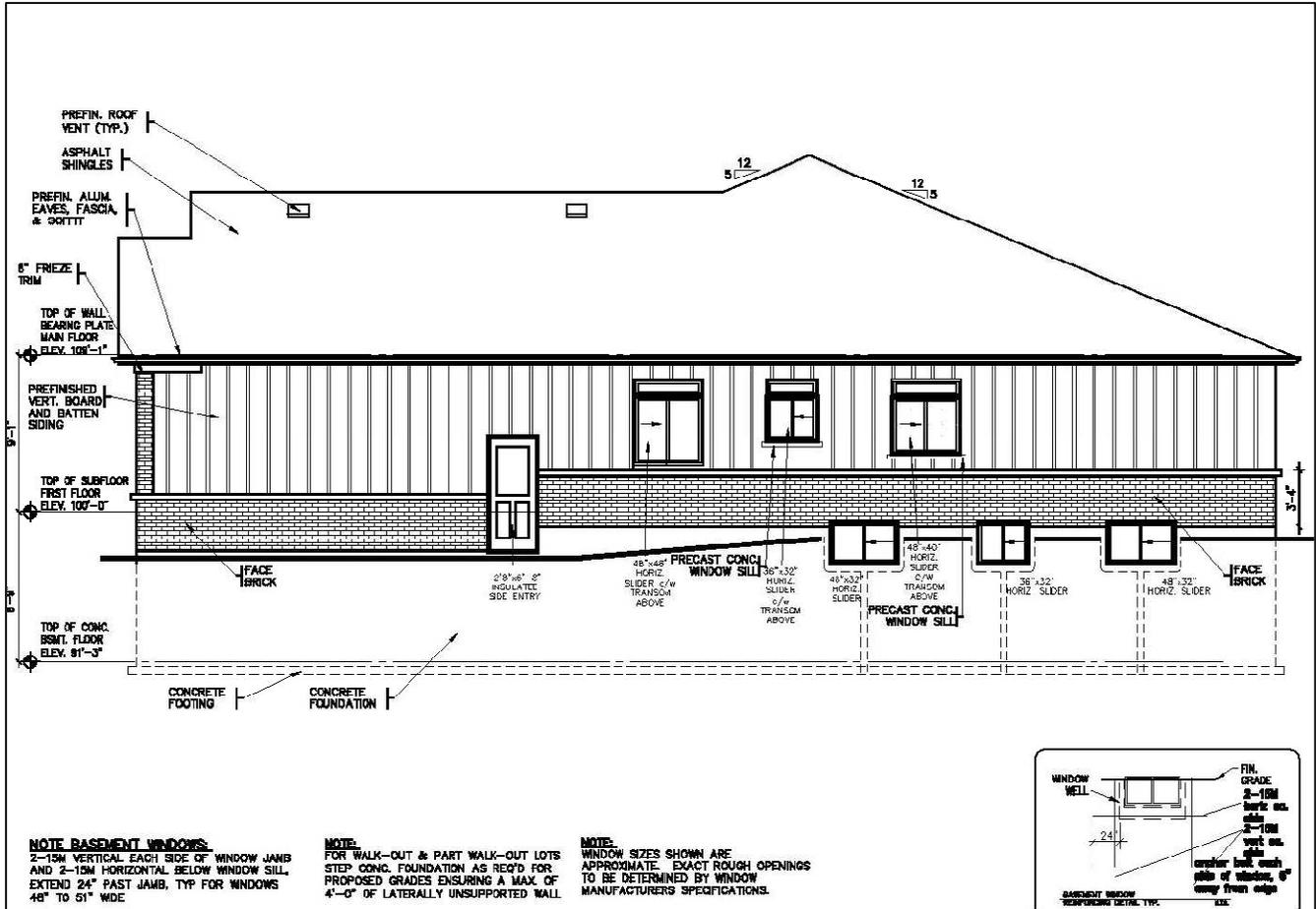
### Left Side Elevation



# STAFF REPORT

## Attachment 6 (continued) – Proposed Building Elevation

### Right Side Elevation



# STAFF REPORT



## Attachment 7 – Circulation Comments Summary

<u>RESPONDENT</u>	<u>NO OBJECTION OR COMMENT</u>	<u>CONDITIONAL SUPPORT</u>	<u>ISSUES/CONCERNS</u>
Planning		✓	Subject to Attachment 2
Engineering		✓	Subject to Attachment 2
Parks Planning		✓	Subject to Attachment 2
GAWDA	✓		
Heritage Planner	✓		
Guelph Police Service	✓		
Guelph Emergency Services/Fire	✓		
Union Gas	✓		

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## Attachment 8 - Public Notification Summary

February 5, 2013	Application considered complete by the City of Guelph
February 19, 2013	Notice of Complete Application mailed to prescribed agencies and surrounding property owners within 120 metres.
March 18, 2013	Notice of Public Meeting mailed to prescribed agencies and surrounding property owners within 120 metres.
April 8, 2013	Statutory Public Meeting
June 4, 2013	City Council Meeting to consider staff recommendation on this application.

# STAFF REPORT



TO Guelph City Council

SERVICE AREA Planning, Building, Engineering and Environment

DATE June 4, 2013

**SUBJECT VICTORIA ROAD SOUTH RECONSTRUCTION  
CONTRACT 2-1306**

REPORT NUMBER

## EXECUTIVE SUMMARY

### PURPOSE OF REPORT

To award the tender for Contract 2-1306 Victoria Road South Reconstruction between MacAlister Boulevard and Stone Road East.

### KEY FINDINGS

N/A

### FINANCIAL IMPLICATIONS

Funding for this contract is from approved capital budgets and developer contributions.

### ACTION REQUIRED

City Council to approve the award of the tender for Contract 2-1306 Victoria Road South Reconstruction between MacAlister Boulevard and Stone Road East.

## RECOMMENDATION

1. That the tender from Cox Construction Limited be accepted and that the Mayor and Clerk be authorized to sign the agreement for Contract 2-1306 for Victoria Road South Reconstruction between MacAlister Boulevard and Stone Road East for a total tendered price of \$1,965,242.01 with actual payment to be made in accordance with the terms of the contract.

## BACKGROUND

The contract work entails the reconstruction of Victoria Road South between MacAlister Boulevard and Stone Road East including installation of storm sewer, non-potable watermain, curb & gutter, sidewalk on the west side, bike lanes and street lighting. Victoria Road South will be widened to 4 traffic lanes in accordance with the approved Schedule 'C' Class Environmental Assessment study that was completed by the City in 2005.

This project was tendered in April 2013 as Contract 2-1306.

# STAFF REPORT

## REPORT

Tenders for the above mentioned project were received on Monday, May 13, 2013 as follows (prices include 13% HST):

1)	Cox Construction Limited	Guelph	\$1,965,242.01
2)	Capital Paving Inc.	Guelph	\$2,126,992.43
3)	Network Sewer & Watermain Ltd.	Cambridge	\$2,215,566.89
4)	J.G. Goetz Construction Limited	Guelph	\$2,222,000.00
5)	Terracon Underground Ltd.	Brantford	\$2,340,938.60
6)	Steed and Evans Limited	St. Clements	\$2,458,000.00

The tenders were checked for legal and arithmetic accuracy. All tenders were found to be arithmetically correct and in conformance with the tendering requirements.

Cox Construction Limited from Guelph has successfully completed previous reconstruction contracts for the City. It is therefore recommended that the contract be awarded to this firm.

For Council's information, the reconstruction of Victoria Road South will be staged to minimize the impact on through traffic. A full closure will be required at the start of construction to install deep underground services. Following the completion of these services and for the remainder of the project duration, traffic will be maintained through the project site in a staged manner. A detour route for through traffic will also be implemented along Stone Road East, Gordon Street and Arkell Road during the reconstruction project. The proposed staging, expected timing and impact on through traffic are detailed in the table below:

STAGE	CONSTRUCTION ACTIVITY	EXPECTED TIMING	IMPACT ON THROUGH TRAFFIC
1	Deep underground service installation	Mid June 2012 for approx 2 Weeks	Closed to through traffic
2	West side widening and reconstruction	Early July 2012 to mid August 2013	One through traffic lane in southbound direction open
3	East side widening and reconstruction	Mid August 2013 to late September 2013	One through traffic lane in each direction open
4	Utility relocation and street light installation	Late September 2013 to November 2013	Minimum one through traffic lane in each direction open
5	Sidewalk installation and landscape restoration	Early May 2014 to early June 2014	Minimum one through traffic lane in each direction open

# STAFF REPORT



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## CORPORATE STRATEGIC PLAN

3.1 Ensure a well designed, safe, inclusive, appealing and sustainable City

### DEPARTMENTAL CONSULTATION

Operations, Transit and Emergency Services were consulted with regard to the impact of the road and lane closures on both traffic and transit operations. Guelph Transit operates a University Express service between September and April that will not be directly impacted by the proposed closure. The project schedule was developed with the intent of completing stages of the project to allow for Guelph Transit service on this section of Victoria Road South in September. Maintaining southbound through traffic during Stage 2 of the reconstruction was also preferred to minimize traffic impacts along the detour route and to provide an alternative southbound route for traffic leaving the University of Guelph following Tiger Cat games.

### COMMUNICATIONS

A Public Open House was held for this project at Victoria Park Golf Club West to communicate project specifics, proposed construction methodologies and to obtain input from the public, local residents and businesses. The open house was held on April 16, 2013 and was attended by approximately 25 people. The project was well received and attendees generally supported and acknowledged the need for the project and improvements to this section of Victoria Road South. The proposed staging, expected timing and impact on through traffic chart detailed above was presented at the Open House and was included in the project notices.

Notice of construction will be forwarded to the residents and businesses in the project area prior to the start of construction. Notices will also be issued to local residents and businesses prior to commencing each stage of the reconstruction. Notice will be also published in the City Page of the Guelph Tribune and on [guelph.ca](http://guelph.ca). The notices will include contact information for the project including the City's representative, Contractor's representative and the City's on-site construction inspector.

Advance notice signage advising of the road closure and subsequent through traffic changes will be also be posted on Victoria Road South. Notices will also be published on the City Page in the Guelph Tribune and posted of the City's web page at [guelph.ca](http://guelph.ca).

### ATTACHMENTS

Budget and Financial Schedule

#### Report Author

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Project Engineer

#### Approved By

Don Kudo, P.Eng.  
Manager of Infrastructure Planning;  
Design & Construction

# STAFF REPORT

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**Approved By**

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**Recommended By**

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**Budget and Financing Schedule**

JDE Project number: RD0078\_WD0014\_WT0007  
 Project name: **Victoria Road South Reconstruction**  
 Contract #: 2-1306  
 Prepared by: Ron Maeresera  
 Date: May 15, 2013

	Total Cost	External Financing			Internal Financing		
		Developer Contributions	Dev't Charges	Gas Tax	Current Revenues	City Reserves	Debt
<b><u>A. Budget Approval &amp; Additional Funding</u></b>							
RD0078 Victoria - Stone - Arkell	8,000,000	454,000	4,471,400	0	0	2,940,600	134,000
WT0007 Water Facility Upgrade and Studies	3,915,900	0	0	0	0	3,915,900	0
WD0014 Watermain Replacement	7,500,000	0	0	2,531,250	0	4,968,750	0
<b>Budget Approval</b>	<b>19,415,900</b>	<b>454,000</b>	<b>4,471,400</b>	<b>2,531,250</b>	<b>0</b>	<b>11,825,250</b>	<b>134,000</b>
<b><u>B. Budget Requirement</u></b>							
Tender Price: Cox Construction Ltd (Incl. HST)	1,965,242						
Less: HST	226,090						
Add: HST Payable (calculated at 1.76%)	30,609						
<b>City Share</b>	<b>1,769,761</b>	41,382	407,569	230,724	0	1,077,873	12,214
plus: Expenditures to Date - All Projects	8,214,320	192,075	1,891,723	1,070,900	0	5,002,930	56,692
plus: Committed Work on Existing POs & Contracts - All Projects	3,480,055	81,374	801,442	453,695	0	2,119,527	24,018
plus: Contingency- All Projects	173,915	4,067	40,052	22,673	0	105,923	1,200
plus: Other Work (Operations) - All Projects	34,783	813	8,010	4,535	0	21,185	240
plus: Future Work (Engineering) - All Projects	191,307	4,473	44,057	24,941	0	116,515	1,320
plus: Other Work (Waterworks) - All Projects	3,270	76	753	426	0	1,991	23
plus: Utilities Work (External)	240,000	5,612	55,271	31,289	0	146,172	1,656
plus: Other Work (External)	29,000	678	6,679	3,781	0	17,662	200
plus: HST on Contingency & External Work @ 1.76%	7,795	182	1,795	1,016	0	4,748	54
plus: Future Work	5,271,693	123,267	1,214,049	687,270	0	3,210,724	36,383
<b>TOTAL BUDGET REQUIREMENT</b>	<b>19,415,899</b>	<b>454,000</b>	<b>4,471,400</b>	<b>2,531,250</b>	<b>0</b>	<b>11,825,250</b>	<b>134,000</b>
<b><u>C. Surplus / (Deficit)</u></b>	0	0	0	0	0	0	0
<b><u>D. Revised project budget</u></b>	<b>19,415,900</b>	<b>454,000</b>	<b>4,471,400</b>	<b>2,531,250</b>	<b>0</b>	<b>11,825,250</b>	<b>134,000</b>