



A great place to call home
A vibrant downtown

A progressive diversified economy
An appealing attractive city

AGENDA

GUELPH CITY COUNCIL

December 3, 2007 – 7:00 p.m.

- O Canada
- Silent Prayer
- Disclosure of Pecuniary Interest

<p style="text-align: center;">PUBLIC MEETING UNDER THE PLANNING ACT</p>

Council is now in a public meeting under the Planning Act to deal with the following matters:

- 1) **1159 VICTORIA ROAD SOUTH - Victoria Park Village Subdivision – Official Plan Amendment and Draft Plan of Subdivision and Draft Plan of Common Elements Condominium and Associated Zoning By-law Amendment (OP0502/23T-07506/23CDM-05506/ZC0506 – Ward 6**

- Staff presentation by Al Hearne
- Nancy Shoemaker
- Sid Brouwer

Correspondence

- M. Staples

- 2) **120 WESTMOUNT ROAD – Proposed Zoning By-law Amendment (ZC0715) – Ward 3**

- Staff presentation by Scott Hannah
- Karen Landman
- Maria Case and/or Stuart Wren
- Brad Wallaker

Correspondence

- Linda M. Hathorn
- Edron Granger
- Bob Webb

3) **168 FIFE ROAD** – Proposed Zoning By-law Amendment (ZC0615) – Ward 4

- Staff presentation by Chris DeVriendt
- Bruce Kirby
- Roberto Masferrer
- Ken Coutts
- Doris Orr
- Lorna Schwartzentruber
- Richard Soehner

Please bring reports which were previously distributed.

ADJOURNMENT

To: L. Giles
City Clerk

From: M. Staples

RECEIVED
NOV 26 2007
CITY CLERK'S OFFICE

Re: File OP0502 / 23T-07506 / 23CDM-05506 / zc0505
Victoria Park Village Subdivision – Official Plan Amendment and Draft Plan of
Subdivision and Draft Plan of Common Elements Condominium and Associated Zoning
Bylaw Amendment

This document comprises 3 pages.

I reside at _____ and am the owner of the properties at _____ Arkell Road.
There is a single family residence at _____ Arkell Road; the remainder of the property is farmland.
These combined properties are located on the northwest corner of the intersection of Arkell Road
and Victoria Road South and share a property line with Victoria West Golf Course.

I oppose the proposed development at Victoria West Golf Course for the following reasons
which I ask Council to consider. I require a formal written response from the City of Guelph that
addresses each of these concerns in detail, with a copy to Council.

1. Construction Noise Pollution

The City of Guelph has an obligation to minimize the negative impact of large scale
development, such as that proposed for Victoria West Golf Course, on surrounding
property owners but does not discharge that responsibility.

When the City of Guelph approves large scale development, the developer is not required
to complete the development to any City-imposed time deadline or to construct noise
buffers prior to development. The City's noise bylaw allows construction from 7 a.m. to
7 p.m. Monday to Friday and from 9 a.m. to 7 p.m. on Saturday with no limits to the
nature or intensity of the noise. My experience with noise complaints is that they are
given a low priority by City of Guelph Police with the result that the noise bylaw, as well
as affording limited protection, is rarely enforced. On the rare occasion where an officer
has responded to a noise complaint, only a warning has been given but no \$ fine.

I reside directly across from the Victoria Woods development (southwest corner of Arkell
Road and Victoria Road South) and have first hand knowledge of the negative impacts of
noise pollution from large scale development. Construction of Victoria Woods started in
the spring of 2002 and is now in its sixth year. During that time construction noise
pollution has been continuous and at unacceptable levels. Noise pollution results from
heavy machinery noise including but not limited to the incessant beep of reversing
vehicles, the noise from acceleration, operation and use of engine brakes by dump trucks
and other construction vehicles, the loud slam of dump truck panels as they unload,
construction outside of hours permitted by the existing noise bylaw, the servicing of
vehicles outside of permitted hours (loading and unloading of equipment, delivery of fuel
and other construction materials) and from shouting and use of loud music by
construction employees.

Noise pollution can impair hearing and cardiovascular health and result in high blood pressure. Of no less importance, noise pollution results in high levels of stress and in significant loss of property enjoyment that continues after the construction noise pollution has stopped.

Noise pollution, especially loud noise, travels. Before any future development, including the Victoria Park Subdivision, is considered for approval the City needs to ensure that affected property owners are protected from construction noise pollution through:

- Mandatory noise pollution barriers such as berms or concrete noise barriers that are put in place before any development starts and remain in place until the development is 100% complete
- Limits to construction noise decibel levels
- Amendment of the noise bylaw to restrict construction before 8 a.m. and after 6 p.m. Monday to Friday and to prohibit weekend construction. This provides 50 full hours per week for construction activity and provides improved quality of life for existing property owners
- Large \$ fines or enforced work shutdown for construction noise outside of permitted hours and/or in excess of the allowed decibel limits
- Active enforcement of the amended noise bylaw, funded if necessary by development fees.

2. Other Construction Pollution: Air and Garbage

Before any future development, including the Victoria Park Subdivision, is considered for approval the City needs to require that all construction equipment involved meet vehicle emission standards. My experience with the Victoria Woods development is that much of the construction equipment including dump trucks belch black smoke and thus do not meet vehicle emission standards. This results in impaired air quality on surrounding properties.

Before any future development, including Victoria Park Subdivision, is considered for approval the City needs to ensure that large scale developments do not create garbage litter issues for surrounding property owners. My experience with the Victoria Woods development has been that large amounts of construction garbage (materials, wrappings) blow across the road and create litter. No efforts to contain or retrieve the litter were made by Victoria Woods and it was necessary to call the police on several occasions. In the case of the proposed Victoria Park Subdivision, the developers would need to prevent any construction litter from entering my property to avoid being charged with dumping or with trespass if they entered my property to retrieve litter.

3. Property Trespass

The Victoria Park Subdivision proposal does not appear to include any fencing to separate the new self-contained development from surrounding property owners. Before the development is considered for approval, a fence along the full length of the property line should be required to avoid accidental or intentional trespass against surrounding property owners.

4. Post-Construction Noise Abatement

The Victoria Park Subdivision proposes adding 209 residences to the existing single family residence. This will result in a significant increase to the level and frequency of noise from that property. The development proposal does not appear to include any noise abatement measures such as berm landscaping. Before the development is considered for approval, noise abatement landscaping along the full length of the property line should be required. In addition to protecting surrounding property owners, this will also protect any future Victoria Park Subdivision residents from the legal noise resulting from farming operations.

MBStaples

Guelph, Ontario,

November 12, 2007

City of Guelph, City Hall,
59 Carden Street,
Guelph, Ontario
N1H 3A1
Att: Lois Giles, City Clerk

RECEIVED
NOV 14 2007
CITY CLERK'S OFFICE

Dear Ms Giles,

I am writing regarding the Proposed Zoning By-Law Amendment, File ZCO715, Public Meeting Notice.

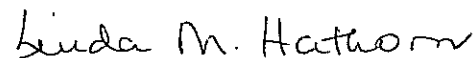
As a resident of Kimberley Drive since 1968, I am proud to be living in the "north end" of this wonderful city, proud of our fine state-of-the-art St Joseph's Health Centre and happy that development on the property adjacent to my home is finally taking shape. The meeting with the neighbours on September 11 proved somewhat fruitful with some modifications to plans for the site brought forward.

The major concern, which I share with my neighbours, is that design modification, the height and placement of the buildings in particular, has not gone far enough. In the initial handout at the September 11 meeting, examples of successful life lease buildings in various communities are shown to be five or six storeys. Why should we have two seven storey buildings and one ten storey building looming over our houses and have to bear the consequences of the potentially negative impact on our lives, our neighbourhood, our property values?

In conclusion may I say that it makes no sense, when the existing Health Centre has been superbly integrated into the neighbourhood at four storeys to settle for anything less than an equally aesthetically-pleasing design and of the same architectural scale as the Health Centre for the life lease project.

All residents of Kimberley Drive look forward to reaching an amicable solution to these design concerns.

Yours truly,



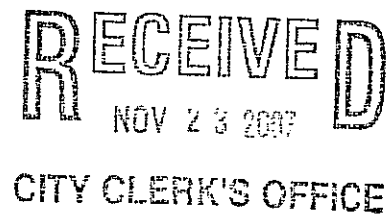
Linda M Hathorn

CC: Mrs Mary DuQuesnay, Executive Director, St Joseph's Health Centre
CC: Councillor Maggie Laidlaw
CC: Councillor June Hofland

November 20th 2007

City of Guelph,
City Hall,
59 Carden Street,
Guelph, ON.
N1H 3A1

Attn: Lois Giles, City Clerk.



Subject: Proposed Zoning By-Law Amendment, File:ZC0715 re: Public Meeting Dec 3rd/2007

Re: Proposed Residential Apartment Development, 120 Westmount Road.

Dear Madam Mayor and Members of Council;

As a resident of Kimberley Drive, I recently received notification of a proposed zoning change of the development of 120 Westmount Road, of lands belonging to St Joseph's Health Care Centre, annex.

I read the proposal with mixed feelings, I say mixed, because St Joseph's are long overdue in utilizing their parking lot, to derive revenue for the support of their outstanding facility. I know that St Joe's was erected for the good of older citizens. (A proud tradition of the Sisters of St Joseph). My negative feelings however relate to the esthetics of the proposed layout. If you review the proposed site plan a building identified as building #1 will be erected adjacent to the berm, located parallel, 42yds from the lot lines of four lots, Lot#1, Lot#8, Lot#9 and Lot 10, located on Kimberley Drive. **It will tower 7 stories over the houses situated on those lots.** This building as currently sited, will severely detract from the values of the Kimberley Drive lot properties noted, one estimate was in the range of \$30,000.00.per house. This in turn will downgrade the property values of other houses in Kimberley Drive in a negative way, their valuations. Even The St Joseph Health Center itself is only four stories high for the front facade of that facility. Therefore **four stories should be the maximum height viable for these proposed new buildings.** We live in what has been up to now a pleasant urban sub-division, but 7 story and 10 story buildings adjacent to it will totally destroy that ethos.

At an earlier meeting the executive of St Josephs had indicated that they would like to proceed with the development in an amicable way to the benefit of both St Josephs and the local residents of Kimberley Drive. Indeed we were as citizens encouraged by Ms. Mary DuQuesnay, the executive Director, to feel free to make suggestions as to our thoughts on the project. Unfortunately I have been ill for the past 9 weeks and until now this is my first opportunity to make my thoughts on the matter public. Thus at this stage I write to the council.

As one request, I would like the structure of Building #1 to be less intrusive, it should not change the cost of construction. I'm proposing that Building #1 be located in a manner as noted on my OPTION 1. It should be located back further from Kimberley Drive lot line. If you review the two sheets, my OPTION 1 and OPTION 2. **You will note in OPTION 1,** that the configuration of the buildings, which includes

changing the positions of Buildings #1 and #2 generates a large courtyard effect. In a previous meeting it was indicated that most of the parking would be underground, so I assume that the end result of this arrangement would be a landscaped courtyard highlighted by the berm and its trees, plus some above ground parking, which would be very attractive. Almost parkland in its appearance. OPTION 2 is the same as your site plan, with the exception of building #1.

One question I have is your meaning of "Life lease". I assume that it implies that the apartment is sold to a family for the life of that purchaser. Will there be a maintenance fee assessed against each apartment? At the meeting last September it was stated that the development was to be geared to seniors, what does that mean? Are these defined as retired citizens, or are they for owners 65 and older or for younger people who may not be retired or for both? Does it include children, or for two persons only, per apartment? If children and relatives are allowed will there be restrictions on the length of their stay at the apartments. Will owners of the apartments be able to sublet, their apartments?

If the current site plan submitted to us dated Nov 2nd, is approved, that is, without the setback of building #1, as I propose in my OPTION #1, will Kimberley Drive be rezoned to a lower status, for lower city taxes? Because it will in effect become the same kind of neighbourhood as for example Willow Road, with its mixture of houses and high rise apartments. I am also puzzled by the proposed new zoning designation, is it really correct? The end use of the site is to be for residential apartments that will be sold to private individuals. It will consist of the construction of 300 residential apartments, complete with private parking.

In the Sept 27th letter it was noted that there will be a one way approach to the proposed site. Entrance from Westmount Road, exit from Edinburgh. This means that in many instances for cars approaching the site by way of Edinburgh road traveling N. It will be more advantageous to cut thru Kimberley Drive to Westmount to enter the site. This will increase the current traffic on Kimberley. Basically these are the points that I wish to make and I believe to be in general agreement, with my neighbours.

Yours Sincerely



Edron Granger

4 attachments

CC: Ms Mary DuQuesnay Executive director, St Josephs Health Center

CC: Councillor Maggie Laidlaw e-mail address maggie.laidlaw@guelph.ca

CC: Councillor June Hofland e-mail address june.hofland@guelph.ca

November 2, 2007

PUBLIC MEETING NOTICE

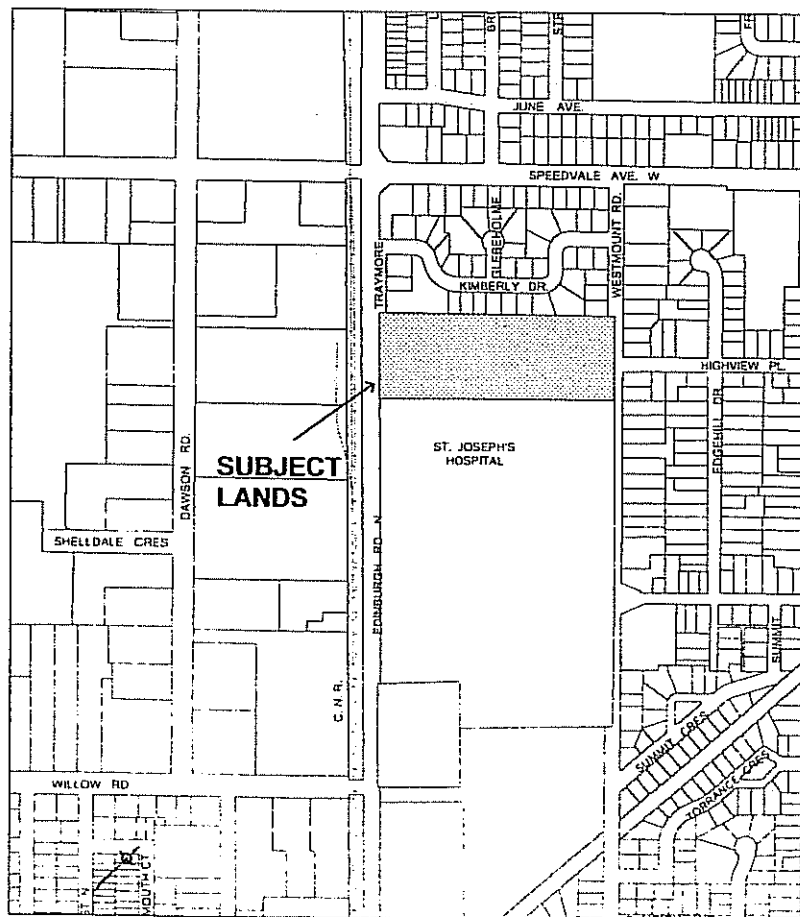
PROPOSED ZONING BY-LAW AMENDMENT

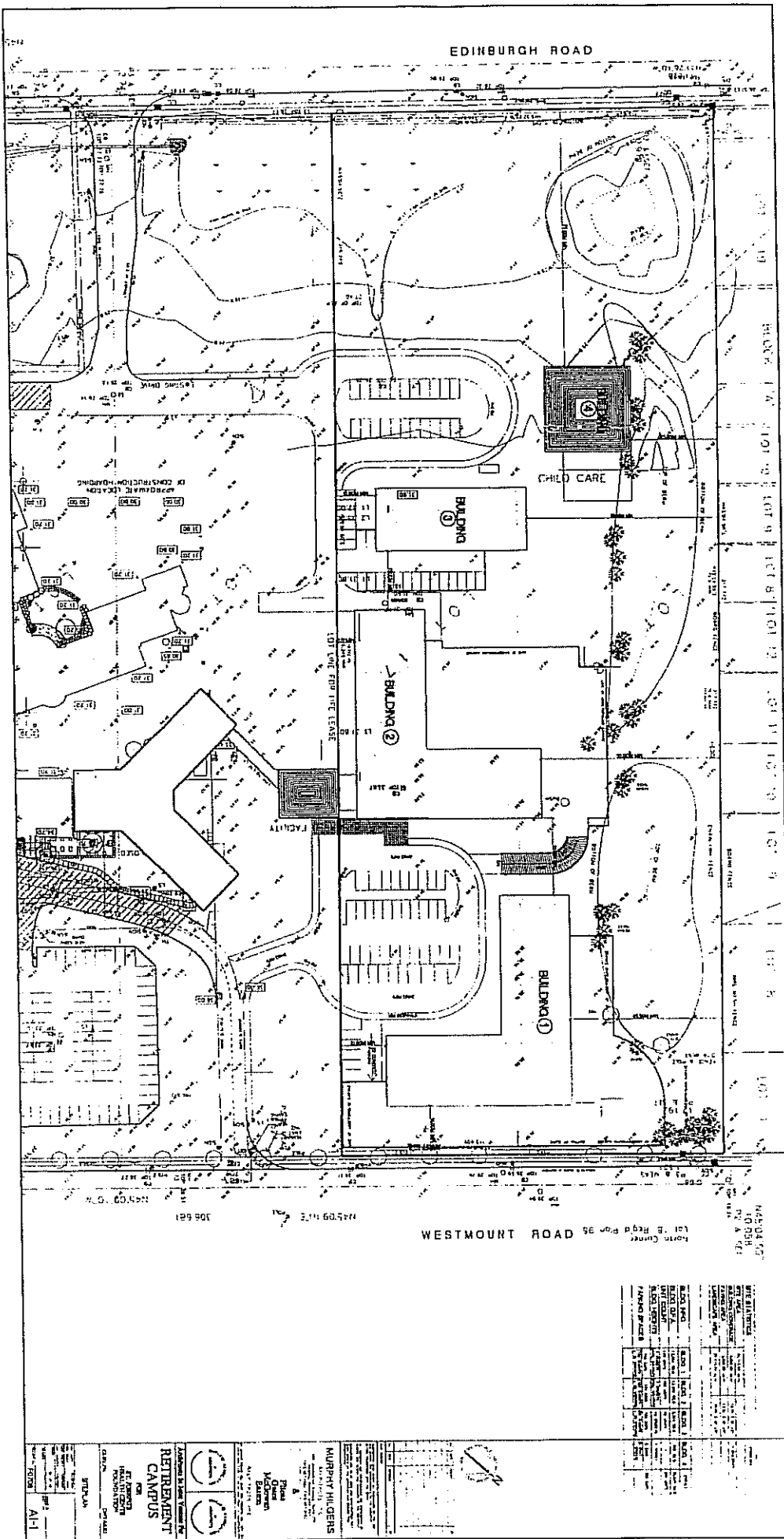
City Council will hold a Public Meeting in accordance with the Planning Act for the Zoning By-law Amendment application from JL Cox Planning Consultants Inc for the property known as **120 Westmount Road**.

Meeting Date: **December 3, 2007**
Location: **Council Chambers, City Hall, 59 Carden Street**
Time: **7:00 p.m.**

SUBJECT LANDS

120 Westmount Road: The subject lands are located on the west side of Westmount Road, south of Speedvale Avenue West. The subject lands have frontage on Westmount Road and Edinburgh Road North.





SITE PLAN OPTION SUBMITTED BY ST JOSEPH'S

NO.	DESCRIPTION	AREA (SQ. FT.)	PERCENTAGE
1	BUILDING 1	10,000	10.00
2	BUILDING 2	10,000	10.00
3	BUILDING 3	10,000	10.00
4	BUILDING 4	10,000	10.00
5	CHILD CARE	5,000	5.00
6	PARKING	20,000	20.00
7	LANDSCAPING	5,000	5.00
8	UTILITIES	2,000	2.00
9	ROADS	10,000	10.00
10	OTHER	10,000	10.00
TOTAL		100,000	100.00

NORTH

ST. JOSEPH'S

HURRY HILGERS

 ARCHITECTS

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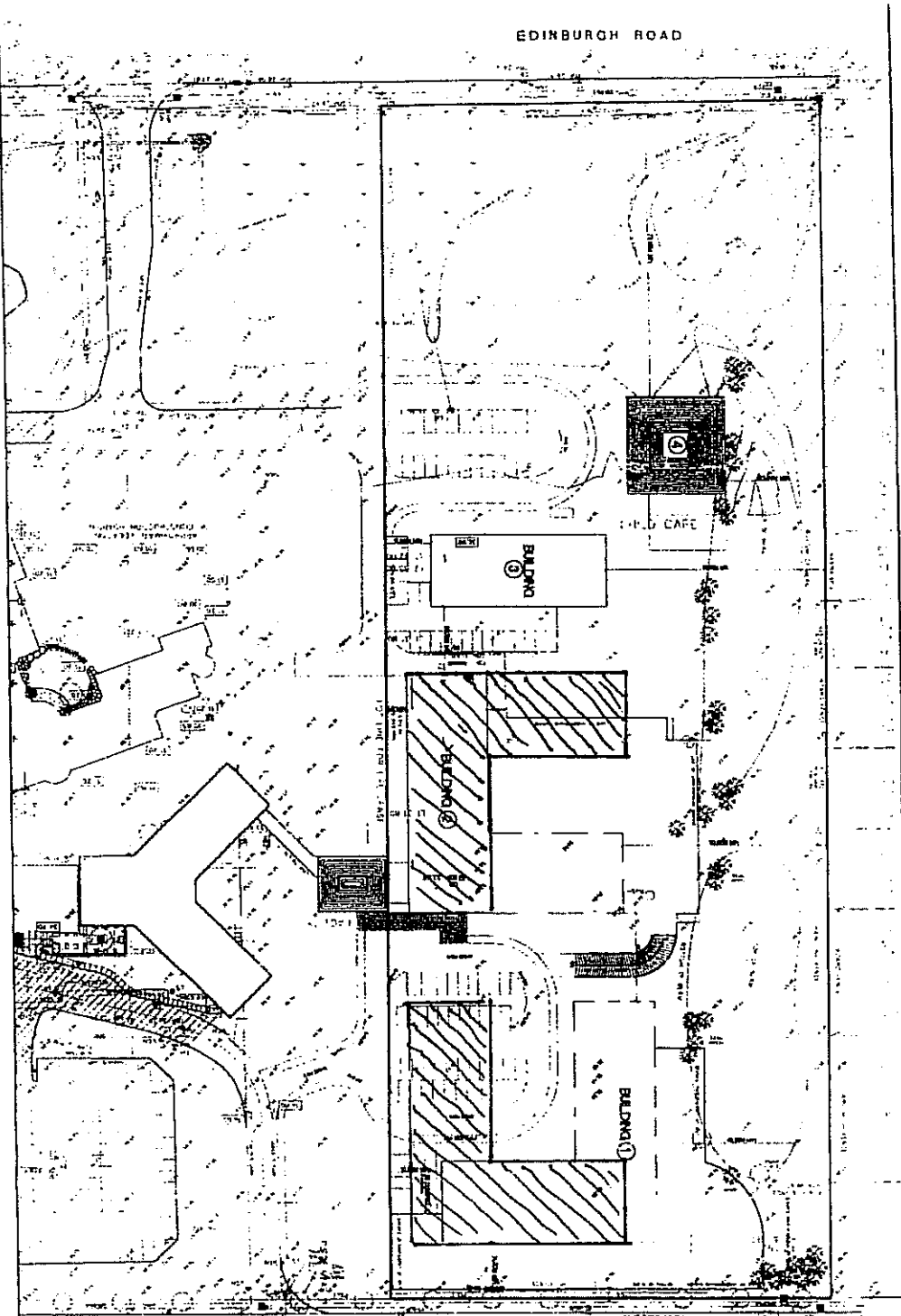
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EDINBURGH ROAD



WESTMOUNT ROAD

OPTION 1

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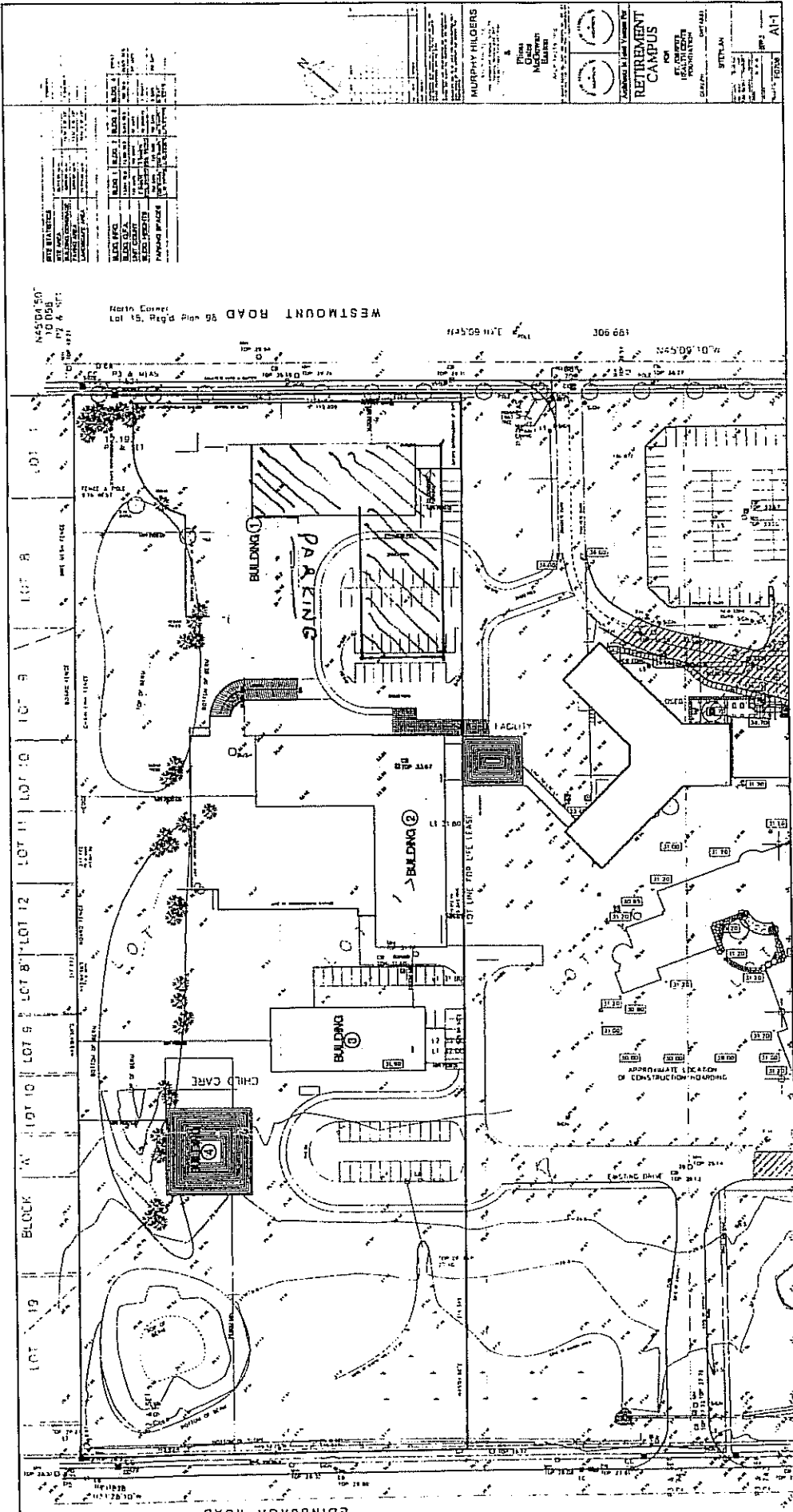
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BLDG. NO.	BLDG. NAME	FLOOR AREA (SQ. FT.)	NO. OF BEDS	EST. COST (\$)
1	CHILD CARE	1,500	20	150,000
2	PARKING	2,000	0	100,000
3	FACILITY	3,000	100	300,000
4	BUILDING 1	10,000	200	1,000,000
5	BUILDING 2	10,000	200	1,000,000
6	BUILDING 3	10,000	200	1,000,000
TOTAL				
		36,500	600	3,550,000

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OPTION 2

To: LOIS GILES
CITY CLERK

Bob Webb

CITY HALL, GUELPH

From: Bob Webb

Sent: Monday, November 26, 2007 9:21 PM

To: Maggie Laidlaw; June Hofland

Subject: Registering opposition to St Joseph's rezoning application NOV 27 2007

Re Proposed Zoning By-Law
Amendment for
22 Westmount Rd.
RECEIVED

Dear Councillors:

CITY CLERK'S OFFICE

I'd like to bring to your attention the concern and opposition of my wife and myself and many of my neighbours to certain aspects of the rezoning application for the carpark area next to St Joseph's hospital to permit the building of a 10 storey apartment building. We have lived at this address for ten years.

In summary, we believe that the rezoning should not permit buildings taller than the existing structure of the new hospital - which is approximately 5 storeys if one includes the roof height. We strongly oppose any building in excess of 6 storeys anywhere in the proposed rezoning area with a 5 storey limit on the higher ground adjacent to Westmount Road.

We are also concerned that the traffic volume will increase and reduce the quality of life for those at the point of access from the proposed building to Westmount road. Already vehicles driving up the slope at night to Westmount Road sweep their headlights across the houses on the four or five houses opposite the current access point and the engine noise from heavy vehicles, particularly buses, accelerating away in low gear after stopping at the access point is disturbing - particularly at night and at weekends when people are resting in their homes. This can only increase when additional parking spaces for 300 residential apartments or more and their visitors are brought into the mix to use that access road.

A further concern is the lack of landscaping, particularly trees. We believe that approval of the zoning application and the subsequent building permit should require and enforce a landscaping plan with a defined minimum number of evergreen trees to screen the building year round, provide a windbreak and preserve or add to the appearance of the general area.

Finally, during the recent building of the new St. Joseph's those facing it on Westmount Road, were on the receiving end of the prevailing wind in this area, had to endure nearly two years of windblown dirt, dust, building materials, food packing and construction dirt. This was sufficient for me to fill a garbage bag every other week, fill the house with extra dirt, and coat the windows and exterior surfaces to the point of needing extra window cleaning each year. The prospect of two more years of similar misery is dismaying. Any building permit should require temporary windbreaks during construction to minimise this and, preferably early planting of evergreen tree windbreaks to both block such windborne dirt and to advance the eventual landscaping.

While this is presumably not something that lies within the control of building permits or zoning rules, but the boxy style of the proposed building may provide the maximum number of apartments for the return on the developers investment, it is unimaginative and likely will become a local eyesore as years go by.

In brief we would like to see:

1. A height limit of 6 storeys overall and 5 storeys adjacent to Westmount Road.
2. A traffic analysis to determine the impact on traffic patterns on Westmount Road - taking into account any likely diversion of traffic as a result of proposed traffic calming measures on roads to the North and East of Westmount Road.
3. A requirement to submit a landscaping plan with satisfactory windbreak and screening provisions.
4. Adequate temporary windbreaks during construction to keep dust and construction garbage from building site being blown into adjacent residences.

Please would tell me what, if any, support you can provide us to help us express our concerns in the most effective way to the appropriate people in the City. In particular, can you tell me if I can obtain a list of addresses to whom the notification of the meeting was sent in order to facilitate contact among our neighbours.

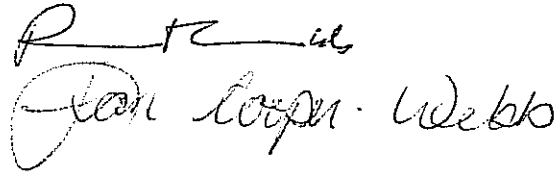
11/26/2007

We will be sending a printed copy of this e-mail to Lois Giles, City Clerk.

Thank you for your attention to this.

Yours sincerely

Bob Webb
Jan Cooper Webb
Guelph

Handwritten signatures of Bob Webb and Jan Cooper Webb. The signature for Bob Webb is written above the signature for Jan Cooper Webb.