

Council Chambers
January 17, 2011

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

Present: Mayor Farbridge, Councillors Bell, Burcher, Dennis, Findlay, Furfaro, Guthrie, Hofland, Kovach, Piper, Van Hellemond and Wettstein

Absent: Councillor Laidlaw

Staff Present: Dr. J. Laird, Executive Director of Planning, Engineering & Environmental Services; Mr. D. McCaughan, Executive Director of Operations & Transit; Mr. J. Riddell, General Manager of Planning & Building Services; Mr. S. Hannah, Manager of Development Planning; Ms. T. Agnello Deputy City Clerk; and Ms. D. Black, Assistant Council Committee Co-ordinator

DECLARATIONS UNDER MUNICIPAL CONFLICT OF INTEREST ACT

There was no declaration of pecuniary interest.

Consent Agenda

1. Moved by Councillor Kovach
Seconded by Councillor Findlay
THAT the balance of the January 17, 2011 Council Consent Agenda as identified below, be adopted:

a) 341 Forestell Road – Proposed Change in Real Property to be Associated with Heritage Designation By-law (2003)-17260

Dr. J. Laird
Mr. J. Riddell

THAT Council direct staff to issue notice to the public of a proposed amendment to By-law (2003)-17260 as prescribed under the Ontario Heritage Act to reduce the amount of real property to be associated with the designated heritage property at 341 Forestell Road, as indicated in Planning, Engineering and Environmental Services report 11-08 dated January 17, 2011.

b) Request for Extensions for Infrastructure Stimulus Projects

Ms. M. Neubauer

WHEREAS the Federal and Provincial governments are providing a one-time extension of the deadline for funding of projects under the Infrastructure Stimulus Fund, Building Canada Fund – Communities Top-Up, the Recreational Infrastructure Canada/Ontario Recreation

Program, and the Knowledge Infrastructure Program from March 31, 2011 to October 21, 2011;

AND WHEREAS all funding from the Government of Canada and Ontario will cease after October 31, 2011;

AND WHEREAS The Corporation of the City of Guelph has asked the Provincial government for an extension to Federal and Provincial funding to October 31, 2011 for the following projects:

Recreational Infrastructure Canada/Ontario Recreation Projects Requesting an Extension			
Project ID	Proponent	Project Title	Total Eligible Cost
R2239	City of Guelph	Civic Square Ice Rink and Water Feature	\$2,000,000
R2241	City of Guelph	Evergreen Senior Centre	\$1,055,000
R2244	City of Guelph	West End Community Centre	\$2,184,150

And

Infrastructure Stimulus Fund Projects Requesting an Extension			
SIMSI ID	Proponent	Project Title	Total Eligible Cost
1484	City of Guelph	Transit Terminal	\$8,000,000
1538	City of Guelph	Wyndham Street: Carden to Wellington	\$8,400,000
1605	City of Guelph	Norfolk: Norwich to Quebec	\$5,400,000
1815	City of Guelph	Main Fire Station	\$1,193,500
1860	City of Guelph	River Run	\$2,271,500
1904	City of Guelph	Transit Facility	\$1,776,500
1935	City of Guelph	Sidewalk Rehabilitation	\$3,000,000
2017	City of Guelph	Edinburgh Road: Speedvale to London	\$2,500,000
2035	City of Guelph	Dawson Road: Shelldale to Speedvale	\$2,700,000
2040	City of Guelph	Maltby Road: Gordon to Hanlon	\$2,800,000
2046	City of Guelph	Westmount Road: Speedvale to London	\$3,000,000
2051	City of Guelph	Stone Road Bicycle Lanes	\$2,250,000
2048	City of Guelph	Victoria Road/Woodlawn Intersection	\$2,300,000

THEREFORE BE IT RESOLVED THAT The Corporation of the City of Guelph attests that it will continue to contribute its share of the required funding for the aforementioned projects;

AND BE IT FURTHER RESOLVED THAT actual claims for all eligible costs incurred by March 31, 2011, for the aforementioned projects must be and will be submitted no later than April 30, 2011;

AND BE IT FURTHER RESOLVED THAT The Corporation of the City of Guelph will ensure that the projects will be completed.

VOTING IN FAVOUR: Councillors Bell, Burcher, Dennis, Findlay, Furfaro, Guthrie, Hofland, Kovach, Piper, Van Hellemond, Wettstein and Mayor Farbridge (12)

VOTING AGAINST: (0)

Carried

PLANNING PUBLIC MEETING

Mayor Farbridge announced that in accordance with The Planning Act, Council was now in a public meeting for the purpose of informing the public of various planning matters. The Mayor asked if there were any delegations in attendance with respect to planning matters listed on the agenda.

716 Gordon Street Proposed Official Plan Amendment and Zoning By-law Amendment (File: OP1001/ZC10101) – Ward 5

Ms. K. Nasswetter provided an overview of the application.

Mr. Chris Pidgeon, on behalf of the applicant advised that each unit will be furnished with ensuite baths, have no balconies or operable windows, there will be twelve month leases, and there will be recorded video surveillance including all common areas and the building exterior. He stated there will be designated and assigned parking, convenient pedestrian access to the University and an on-site manager. He stated that their sun shadow analysis shows that no surrounding dwellings will be in shadow more than four hours. He explained that they have conducted a tree inventory and 71 of 148 trees will be retained. He could not confirm when the market assessment was done, but the applicant is convinced this

is a viable project. They will need to assess green space and common area issues. He advised a traffic study has been submitted to City staff and they are awaiting response.

DELEGATIONS

Mr. Harry Ousseron, a neighbourhood resident, raised concerns about the impact on privacy, traffic, noise, shadows, wind, and the environment on the surrounding neighbourhood. He questioned the impact it will have on the groundwater since the development is on the outer edge of the watershed. He advised that the University of Guelph has been on record stating that there is no need for this type of development. He was concerned that, if approved, would not be in keeping with the City's planning documents.

Mr. Andrew Kropinski, a neighbourhood resident, raised concerns about the lack of green space and common areas. He advised the proposal only reaches 18% of mandated under current zoning. He believes this will lead to an increased demand on Mayfield Park, which could lead to numerous parking, garbage and noise infractions, and create conflict within the neighbourhood.

Ms. Peggy Pritchard, representing Mayfield Park Community Association, stated their opposition to the development. She advised they have city-wide support in their objection as shown in their petition with over 800 signatures. She stated that within the past two months since learning of the proposal they have met regularly and developed working groups to research the issues. They had 125 people attend their information and planning session. She requested Council to examine the proposal carefully and give consideration to the strong opposition of the neighbourhood.

Mr. Derek Taylor, a neighbourhood resident, stated that the Vice President, Finance and Administration of the University of Guelph, stated that the University has no requirements for more student residences. He questioned why the applicant would propose such a large development in light of this information. He believes that this large number of young people away from home for first time in such close proximity is not a safe environment. He raised the issue of safety for the many senior citizens that live in the Village by the Arboretum that regularly walk to the University or the mall because the increase of pedestrian, cycling and vehicular traffic will create dangerous traffic challenges. He does not believe the proposal will enhance the City.

Mr. Toni Salvatori, a neighbourhood resident, believes the University would be adding student housing if they needed it. He stated the request for ten by-law amendments is excessive and this type of student housing should be built on University property. He believes a 50% reduction would still be unreasonable; 3 or 4 stories would be acceptable. He believes that students will not move out of house basement rentals to this development because they want a more home-like atmosphere. He was concerned about losing many of the rare birds that might be killed by flying into a high structure.

Ms. Georgia Mason, on behalf of the Mayfield Park Community Association, stated the shadows of the current trees is nowhere near the solid shadows buildings would create. She said the trees would not block out the sight of the tall buildings behind them. She was concerned that the heritage designation of her house was not mentioned and she has concerns for its structure. She advised that since her house is just on concrete pads, she will need assurances groundwater levels will not be changed. She was also concerned about possible wind increases that may cause damage to her unique roof. She also requested a heritage impact assessment and site-specific wind study to be done on their property.

Mr. Daniel Ganesh, on behalf of Mayfield Park Community Association, stated that a five year projection for student housing shows no change so he does not see a need for off-campus housing and requested a market study be done. He believes that renting to just students would be violating the Human Rights Commission and Landlord and Tenant Act. He thinks the 1500 students would come from campus or home rentals and would create loss of income for landlords. He stated the development counteracts assimilation of students into the community. He believes the proposal is not safe due to the increase in traffic and congestion and limited access for emergency services. He stated that no balconies or working windows is unhealthy. He does not believe an on-site property manager will be sufficient to address the many issues that will arise. He also raised the issue of congestion of move-in time. He requested a risk assessment and impact on tax payers be conducted.

Mr. Don Goodman, a neighbourhood resident, believes the Official Plan and Zoning by-laws were designed to enhance the health and safety for the public and he does not see how the reclassification of this property would accomplish that. He stated that this development may devalue home prices and cause homeowners to sell and create absentee landlords within the area. He questioned

whether there were enough amenities in the area to accommodate the student population. He requested no changes to the Official Plan or Zoning bylaw. He urged Council to consider the impact of this development.

Michael Sarracini, on behalf of Guelph Community Landlords, stated that the University has the only comparable development and they have social infrastructure, and campus police which this proposed development does not have. He believes there is no need for this development. He stated this development will not address off-campus demands for affordable housing as the cost is significantly higher to rent here. He stated the ten amendments required is excessive. He stated the proposal will not address the problem of destabilization and contradicts the strategy to integrate students into the community and the recent housing strategy adopted by the City.

Mr. William Stammers, an area resident, stated this site was not identified as an intensification site in the Official Plan. He said that this development will result in a density over 20 times what is recommended and would set a dangerous precedent. He advised that six of the eight criteria used in identifying intensification listed in Schedule 2 of the report indicate this site should not be classified as suitable. He asked Council to reject the proposal.

Ms. Kate MacDonald, area resident, advised that the proposal will create traffic congestion and safety issues. She stated there is already difficulty turning left during peak hours. She said the study also does not address the housing being built at the Village by the Aboretum or on Victoria Road. She pointed out areas of concern and inaccuracies in the study such as:

- Stone Road is only 4 lanes for 100m;
- the innermost eastbound lane on Gordon heading north often acts as a holding lane for many buses and vehicles;
- the increase of traffic on side streets from people taking shortcuts;
- the issue of the Stone and Gordon intersection already being in the top three for highest number of accidents in the City;
- the fact that at least two controlled intersections in the vicinity are already in the worst levels of service at peak times and this number will increase with this development
- site lines issues
- the dangerous increase in pedestrian traffic trying to cross an already busy.

She requested an independent traffic study and a safety study be conducted.

Mr. Randy Reimer, who lives within two blocks of the proposed development believes there will be a huge amount of noise complaints from this development despite a full-time manager and security guards on site because they have no policing power. He stated that the noise complaint statistics for the Chancellors Way residence is among the highest in the City and it is only half the size and not very close to other residential properties. He stated that the request for a reduction of the buffer between the buildings and the neighbourhood would result in a buffer one sixth of the current requirement. He stated the buffer of the government building at Stone Road and Harvard Road is 130m so the request does not make sense. He believes the smaller buffer would just add to the security and privacy issues. He requested the Fire and Police Departments be contacted and an independent study of safety and security of tenants and the neighbourhood be conducted. He feels the costs associated is not something taxpayers should have to bear. He also stated that the students are considered non-permanent residents and the City would not be credited for the 1500 people within the Places to Grow Legislation so would not help meet that obligation.

Ms. Anastasia Zaverllo, Local Commissioner, Central Student Association, requested more research to be done to determine needs versus wants. She believes the units are too costly and it does not allow students to integrate into the community properly. She stated that concentrating a large amount of students in one building is not conducive to developing ties to the community. She advised that there is a need for affordable housing and does not believe this proposal will do that. She suggested the space be made into a community space.

Ms. Shirley Bilanski expressed concern about the density. She stated the current level for high density is 150 per hectare but this proposal works out to be approximately 200 per hectare. She believes the buildings would not be conducive to good physical or mental health or good studying conditions.

Ms. Valerie Romanello, member of the Mayfield Park Community Association, stated the shade studies show limited times and compares tree light to that of a solid building. She said the trees currently on resident's properties would be devoid of sunlight. She stated the development would destroy wildlife and does not believe sixty foot trees are going to be planted to replace the lost

trees. She requested an independent tree and environmental impact study.

Ms. Andrea Martin, on behalf of the Mayfield Park Community Association stated that there is approximately twenty per cent less parking being proposed than is required. She stated the units consist of five bedrooms which would technically constitute a rooming house and would require 500 parking spaces. She stated the assumptions made in the study that there will be one hundred per cent student occupation is inaccurate. She said the data on which the assumptions are based is over four years old and out of date. She also believes most students will have a car. She also raised the issue that the commercial activities and parking for staff and visitors has not been addressed, nor has the issue of overflow parking. She requested further study be done on the parking issues.

Ms. Anna Law, an area resident, stated residents are apprehensive of having an out-of-city landlord on this property. She stated the development is completely out of proportion and harmony with the neighbourhood. She advised the development would encroach onto the adjacent low density residential houses and there is not enough buffer between them. She was concerned that as residents in the surrounding area sell their properties, a developer would vie for more land and the whole area would be changed. She said the decrease in trees will cause the birds and wildlife to leave. She was also concerned that the air conditioners will be noisy. The noise that the large number of residents would create was also a concern. She stated that the buildings would overshadow adjacent properties making it impossible for the neighbours to continue to have gardens or charge their solar batteries. She stated that the 1500 people in two buildings exceeds the current limit twenty times over. She was concerned that vandalism could occur which would cause the nearby residents to feel unsafe.

Mr. Reza Esfahani, Vice President, External Graduate Student Association, University of Guelph, stated that most students have bus passes, and not a car so the parking should be sufficient. He stated this development seems suitable for grad students and because they are international students they would not even have a valid driver's licence. He stated that most grad students do not attend classes, but spend time in labs, so they would likely not be home until later in the day so would not be affecting traffic at peak times. He stated that although there appears to be sufficient housing available, it is not quality housing which is why so many places are not

rented. He feels it would be a safer for grad students to live in this development and suggested the consideration of an aerial bridge or an underground tunnel to resolve the pedestrian issue.

Mr. Len Robitaille stated that he believes this project would not be successful. He cited that he experienced a similar project failing in Toronto by the University of Toronto which resulted in a great deal of community problems. He believes a development of this type would need strict administration and green space available to the students.

Mr. Joshua Gong, an area resident, stated that students would prefer a townhouse and living in a community and does not see them wanting to be boxed in with no green space.

Mr. Rene Olsen raised the concern of the economic impact this development would have on all the other City landlords renting to students which would result in a loss for them of \$900,000 per month.

Staff were requested to:

- ensure the development complies with the Community Energy Plan;
- facilitate discussions between the developer and the neighbourhood;
- consult with emergency services and Emergency Medical Services regarding safety of residents and impact on City resources;
- consult with the Police Department regarding support service and resources required;
- determine if this development would be legislated by the Landlord and Tenant Act or the Innkeeper's Act and the affect on development and also compare the two pieces of legislation to evaluate eviction procedures;
- research the Human Rights Act to see how that affects the property;
- determine whether this development will impact the City's status for the Places to Grow legislation;
- define how to create density in the context of whether its number of units or density;
- provide models to accurately depict the proposal (properly scaled drawings)
- address the parking issues including commercial usage parking, visitor parking and overflow parking;
- examine the compatibility of the proposed use in a broader context;
- provide further shadowing information.

The following studies were also requested:

- safety & security study;
- groundwater study;
- heritage impact assessment;
- site-specific wind study;
- risk assessment and impact on tax payers;
- traffic study;
- tree study; and
- environmental study.

2. Moved by Councillor Findlay
Seconded by Councillor Hofland

Dr. J. Laird
Mr. J. Riddell

THAT Report 11-01 regarding an Official Plan Amendment and Zoning By-law Amendment to permit the development of a student apartment project applying to property municipally known as 716 Gordon Street, and legally described as Part of Block A, Registered Plan 552, City of Guelph, from Planning, Engineering and Environmental Services dated January 17, 2011, be received.

VOTING IN FAVOUR: Councillors Bell, Burcher, Dennis, Findlay, Furfaro, Guthrie, Hofland, Kovach, Piper, Van Hellemond, Wettstein and Mayor Farbridge (12)

VOTING AGAINST: (0)

Carried

The meeting recessed for five minutes and reconvened immediately thereafter.

340 Clair Road East – Proposed Draft Plan of Residential Subdivision (Phase 5 of the Westminister Woods East Subdivision) and Associated Zoning By-law Amendment (File 23T-02501/ZC1009) – Ward 6

Mr. A. Hearne, Senior Planner provided a brief overview of the development application.

3. Moved by Councillor Kovach
Seconded by Councillor Burcher

Dr. J. Laird
Mr. J. Riddell

THAT Report 11-02 regarding a Draft Plan of Residential Subdivision and associated Zoning By-law Amendment application for Phase 5 of the Westminister Woods East Subdivision (File 23T-02502/ ZC1009) applying to property municipally known as 340 Clair Road East, City of Guelph, from Planning, Engineering and Environmental Services dated January 17, 2011, be received.

VOTING IN FAVOUR: Councillors Bell, Burcher, Dennis, Findlay, Furfaro, Guthrie, Hofland, Kovach, Piper, Van Hellemond, Wettstein and Mayor Farbridge (12)

VOTING AGAINST: (0)

Carried

587 Victoria Road North – Proposed Zoning By-law Amendment (ZC0610)- Ward 2

Mr. A. Hearne, Senior Planner, provided a brief overview of the development application.

Ms. N. Shoemaker, was present on behalf of the applicant.

Staff was directed to ensure the proposal complies with the Community Energy Plan.

4. Moved by Councillor Findlay
Seconded by Councillor Burcher

Dr. J. Laird
Mr. J. Riddell

THAT Report 11-03 regarding a proposed Zoning By-law Amendment application by Northview Estates (Guelph) Ltd. (ZC0610) applying to property municipally known as 587 Victoria Road North, City of Guelph, from Planning, Engineering and Environmental Services dated January 17, 2011, be received.

VOTING IN FAVOUR: Councillors Bell, Burcher, Dennis, Findlay, Furfaro, Guthrie, Hofland, Kovach, Piper, Van Hellemond, Wettstein and Mayor Farbridge (12)

VOTING AGAINST: (0)

Carried

BY-LAWS

13. Moved by Councillor Dennis
Seconded by Councillor Guthrie

THAT By-law Number (2011) - 19136 as amended, and by-law (2011) - 19140, inclusive, are hereby passed.

VOTING IN FAVOUR: Councillors Bell, Burcher, Dennis, Findlay, Furfaro, Guthrie, Hofland, Kovach, Piper, Van Hellemond, Wettstein and Mayor Farbridge (12)

VOTING AGAINST: (0)

Carried

ANNOUNCEMENTS

The Mayor announced that the City of Guelph is inviting applications from citizen members interested in serving on The Wellington Dufferin Guelph Public Health Board of Directors and The Property Standards/Fence Viewers Committee. She advised that the applications are due to the City Clerk by 4:30 p.m. January 20, 2011. Specific details and applications are available on the City's website guelph.ca or may be picked up at the Service Guelph Counter at City Hall.

ADJOURNMENT

The meeting adjourned at 10:20 o'clock p.m.

Minutes read and confirmed February 28, 2011.

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Mayor

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Deputy Clerk