

Council Caucus Room
February 6, 2012 5:00 p.m.

A meeting of Guelph City Council.

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

Absent: Councillors Burcher and Van Hellemond

Staff Present: Ms. A. Pappert, Chief Administrative Officer; Mr. M. Amorosi, Executive Director of Corporate & Human Resources; Dr. J. Laird, Executive Director of Planning & Building, Engineering and Environment; Mr. D. McCaughan, Executive Director of Operations & Transit; Ms. C. Bell, Executive Director of Community & Social Services; Ms. S. Aram, Acting Treasurer; and Mr. B. Labelle, City Clerk

DECLARATIONS UNDER MUNICIPAL CONFLICT OF INTEREST ACT

There were no disclosures of pecuniary interest.

- 1. Moved by Councillor Hofland
Seconded by Councillor Findlay
THAT the Council of the City of Guelph now hold a meeting that is closed to the public with respect to:

CAO Report on 3 Month Objectives

S. 239 (2) (b) of the *Municipal Act* - personal matters about identifiable individuals

CAO Update

S. 239 (2) (b) of the *Municipal Act* - personal matters about identifiable individuals

Carried

The meeting adjourned at 5:01 o'clock p.m.

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Mayor

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Clerk

Council Caucus Room
February 6, 2012 5:32 p.m.

A meeting of Guelph City Council closed to the public.

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

Absent: Councillors Burcher and Van Hellemond

Staff Present: Ms. A. Pappert, Chief Administrative Officer; Mr. M. Amorosi, Executive Director of Corporate & Human Resources; Dr. J. Laird, Executive Director of Planning & Building, Engineering and Environment; Mr. D. McCaughan, Executive Director of Operations & Transit; Ms. C. Bell, Executive Director of Community & Social Services; Ms. S. Aram, Acting Treasurer; and Mr. B. Labelle, City Clerk

DECLARATIONS UNDER MUNICIPAL CONFLICT OF INTEREST ACT

There were no declarations.

CAO Report on 3 Month Objectives

The CAO provided a summary report on her 3 month objectives.

CAO Update

The CAO provided an update with respect to personal matters about identifiable individuals.

The meeting adjourned at 6:18 o'clock p.m.

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Mayor

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Clerk

Council Chambers
February 6, 2012

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

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

Absent: Councillors Burcher and Van Hellemond

Staff Present: Dr. J. Laird, Executive Director of Planning & Building, Engineering and Environment; Mr. T. Salter, Acting General Manager, Building & Planning Services; Mr. A. Hearne, Acting Manager of Development & Parks Planning; Mr. P. Cartwright, General Manager, Economic Development & Tourism; Mr. B. Labelle, City Clerk; Ms. T. Agnello, Deputy 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

A-1) 180 Gordon Street Proposed Official Plan Amendment and Zoning By-law Amendment (Files OP1106 & ZC1107) – Ward 5

1. Moved by Councillor Piper
Seconded by Councillor Findlay
THAT the 180 Gordon Street Proposed Official Plan Amendment and Zoning By-law Amendment be moved to the Public Meeting portion of the meeting;

Dr. J. Laird
Mr. T. Salter

AND THAT the decision for the 180 Gordon Street Proposed Official Plan Amendment and Zoning By-law Amendment be deferred to the March 5, 2012 Council Planning meeting.

VOTING IN FAVOUR: Councillors Bell, Dennis, Findlay, Furfaro, Guthrie, Hofland, Kovach, Laidlaw, Piper and Wettstein and Mayor Farbridge (11)

VOTING AGAINST: (0)

Carried

A-2) Development Charge Early Payment Agreement – Hanlon Creek Business Park

The Mayor advised that the Development Charge Early Payment Agreement – Hanlon Creek Business Park was withdrawn and would not be addressed.

2. Moved by Councillor Kovach
Seconded by Councillor Dennis
THAT the balance of the February 6, 2012 Council Consent Agenda as identified below, be adopted:

Development Charge Early Payment Agreement – Hitachi Construction Truck Manufacturing Ltd.

Ms. S. Aram
Mr. P. Cartwright
Ms. D. Jaques

- a) THAT the report dated February 6, 2012 from Economic Development & Tourism Services regarding a Development Charge Early Payment Agreement be received;

AND THAT staff be directed to finalize a Development Charge Early Payment Agreement between the City of Guelph and Hitachi Construction Truck Manufacturing Ltd., satisfactory to the General Manager of Economic Development & Tourism, the City Solicitor and the Acting Treasurer, and subject to the terms as outlined in the report of the General Manager of Economic Development & Tourism dated February 6, 2012;

AND THAT the General Manager of Economic Development & Tourism and the Acting Treasurer be authorized to execute the Development Charge Early Payment Agreement on behalf of the City of Guelph.

VOTING IN FAVOUR: Councillors Bell, Dennis, Findlay, Furfaro, Guthrie, Hofland, Kovach, Laidlaw, Piper and Wettstein and Mayor Farbridge (11)

VOTING AGAINST: (0)

Carried

The Executive Director of Planning & Building, Engineering and Environment advised of a new process beginning at this meeting. Staff will have the opportunity to address issues and concerns and provide clarification on items identified by delegations or from correspondence received at the end of discussion of the application or request the applicant to clarify.

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.

30, 34, 40 Arkell Road: Proposed Zoning By-law Amendment (File ZC1115) – Ward 6

Mr. DeVriendt, Senior Development Planner, advised that the applicant is requesting the property to be rezoned to a Specialized R.3A cluster townhouse zone to permit the development of 9 three-storey buildings with a total of 36 residential units. He addressed each of the specialized zoning regulations being requested as outlined in the accompanying staff report 12-09 entitled "30, 34, 40 Arkell Road Proposed Zoning By-law Amendment".

Ms. Astrid Clos, on behalf of the applicant, advised of the following:

- the west portion of the property has already been rezoned;
- the 3 metre side yard has already been approved;
- the building height of 3 ½ to 4 storeys will be determined by the grade
- parking and amenity area requirements have been met;
- the 60.65 units per hectare conforms to medium density area regulations;
- all 4 units have private access to the exterior and amenity space.
- the commercial owner adjacent to the property is in general support with a few minor issues;
- the grading issues have been addressed;
- the location of the garbage enclosure will be reviewed;
- they will address driveway, fencing and landscaping requirements; and
- the house on the property is not on a heritage list.
- the applicant is willing to work with abutting neighbours to work out issues.

Dr. Hugh Whiteley advised he supports the development as the density is suitable and will help relieve pressure on more sensitive sites. He raised issues regarding the following:

- reduced amenity space;
- minimum setback from the park;
- expansion of the urban reserve area for possibility of a trail connection; and
- improving safety and enhancing the parking space.

Dr. J. Laird
Mr. T. Salter

3. Moved by Councillor Findlay
Seconded by Councillor Hofland

THAT Report 12-09 regarding an application for a Zoning By-law Amendment to permit the development of multiple attached dwellings with a total of 36 units applying to properties municipally known as 30, 34, 40 Arkell Road, legally described as Part Lot 6, Concession 8, Geographic Township of Puslinch, Lot 1 and Part of Lot 2, Registered Plan 514, City of Guelph, from Planning & Building, Engineering and Environment, dated February 6, 2012, be received.

VOTING IN FAVOUR: Councillors Bell, Dennis, Findlay, Furfaro, Guthrie, Hofland, Kovach, Laidlaw, Piper and Wettstein and Mayor Farbridge (11)

VOTING AGAINST: (0)

Carried

180 Gordon Street: Proposed Official Plan Amendment and Zoning By-law Amendment (Files OP1106/ZC1107) – Ward 5

Ms. Stacey Laughlin, Senior Development Planner, advised that a portion of the land is designated core Greenland, however, it has determined that there are no "Core Greenlands" on the subject site and the entire site is considered to be subject to the General Residential designation.

She said the applicant is requesting to rezone the property from the Convenience Commercial Zone and Floodway Zone to a Specialized Townhouse Zone to permit 11 townhouse units. She highlighted the specialized zoning regulations as outlined in the accompanying staff report 12-02 entitled "180 Gordon Street Proposed Official Plan Amendment and Zoning By-law Amendment". In addition, she advised that staff recommend that the proposed Specialized R.3A (Townhouse) Zone be subject to a holding provision to ensure that the subject land is free of contamination and suitable for residential purposes.

Ms. Daphne Wainman-Wood representing the Old University Neighbourhood Resident Association, advised that her comments today are in addition to their comments submitted in October, 2011. She raised concerns regarding the following:

- there was no mention of the setback exemption which is a 25% reduction and none of the changes address the minimum 30 metre buffer along the river's edge;

- the Official Plan Amendment should have been raised sooner;
- no changes have been made to address concerns raised at the public Council meeting in October or community meeting in November, 2011.

She stated that if public consultation is requested, it needs to be meaningful.

Mr. Bernard Luttmer, on behalf of the applicant, provided a summary of the process and changes made to their application to date. He acknowledged that there have been no changes since the meetings in October and November of 2011 for various reasons. He explained their plans to enhance the park and stated there will be no access to the park from the private property and no private yards or amenity space will front onto the park. He said they have not moved the building because they want to prevent increase and use of a front yard. He stated they have met all requests of the southern neighbour. He addressed the key variances proposed.

Dr. Hugh Whiteley strongly advised against approving the current application and addressed the following:

- public involvement in the process;
- the Environmental Impact Study was provided but not the actual project;
- the Official Plan Amendment regarding setback does not conform to the Official Plan unless the Official Plan itself is amended;
- there are too many units for the property as revealed by the need for eight important exemptions to the Zoning By-law;
- parking for 5 or 6 units would be feasible with no exemptions;
- the objection is to infill but it needs to be compatible;
- angular plane provision of 82 degrees as opposed to 40 is not compatible and is obstructive to the park.

Ms. Karen Balcom, speaking on behalf of herself and some of her neighbours, advised they support infill but not this one as it is too intense. She spoke about the following items:

- the precedent that density and the 30 metre setback from the river would set
- consider minimum density within the guidelines as opposed to maximum;
- the whole process needing to be more user friendly and neighbours should be engaged sooner;
- fewer units would warrant fewer exemptions;

- exemptions need to be assessed as a collective impact;
- lack of response from staff regarding appropriate density requested at the October Council meeting;
- angular plane adjustment to 82 degrees is excessive; and
- retaining wall causes the development to tower over the park.

Ms. Judy Martin, on behalf of the Sierra Club, stated that the application does not conform generally to the Official Plan. She said the required 30 metre setback can be implemented to protect the river and its corridors on this site and does not concur with the staff report that the application meets the criteria under Section 7.2.7 of the Official Plan. She requested clarification regarding the difference between a reduction and an exemption. She advised the second and third criteria regarding the proposal being adequately served and traffic issues must be considered together. She raised concerns about the impact of the proposal on the Environment Impact Study and urged council to consider the importance of this site application and reject the Official Plan amendment to reduce the setback.

Mr. Rick Jamieson, a neighbourhood resident, provided the following comments:

- the proponent plans to use excellent materials for the build and the size is not an issue,
- the number of units is too many and eight would be sufficient;
- there is not enough parking and may extend into the neighbourhood;
- much emphasis is being placed on the south neighbour wanting the building away from them and not enough to the majority requesting the building be away from the river;
- access and egress onto the property will be problematic from a traffic perspective;
- the site should not be considered part of the heritage district;
- there is a need to give clear direction to the proponent.

Staff received comments from members of Council which included:

- the need to address the river setback;
- need to examine the need to infringe on the corner of the property that is closest to the river;
- need to ensure the rooftop terraces will not become one large individual terrace;
- ensure the Places to Grow density is met;

- address the public process and examine how the public can get involved sooner.

Dr. J. Laird
Mr. J. Riddell

4. Moved by Councillor Furfaro
Seconded by Councillor Findlay
THAT Report 12-02 dated February 6, 2012 regarding a proposed Official Plan Amendment and Zoning By-law Amendment for the property municipally known as 180 Gordon Street from Planning & Building, Engineering and Environment be received.

VOTING IN FAVOUR: Councillors Bell, Dennis, Findlay, Furfaro, Guthrie, Hofland, Kovach, Laidlaw, Piper and Wettstein and Mayor Farbridge (11)

VOTING AGAINST: (0)

Carried

BY-LAWS

5. Moved by Councillor Wettstein
Seconded by Councillor Piper
THAT By-law Number (2012) – 19336 is hereby passed.

VOTING IN FAVOUR: Councillors Bell, Dennis, Findlay, Furfaro, Guthrie, Hofland, Kovach, Laidlaw, Piper and Wettstein and Mayor Farbridge (11)

VOTING AGAINST: (0)

Carried

ADJOURNMENT

The meeting adjourned at 8:42 o'clock p.m.

Minutes read and confirmed February 27, 2012.

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Mayor

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Clerk