

Council Caucus Room
February 7, 2011 6:30 p.m.

A meeting of Guelph City Council.

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

Absent: Councillor Burcher

Staff Present: Mr. M. Amorosi, Executive Director of Human Resources & Legal Services; Dr. J. Laird, Executive Director of Planning, Engineering & Environmental Services; Mr. D. McCaughan, Executive Director of Operations & Transit; Mr. G. Hunt, Mr. D. Bush; Mr. M. Anders, Mr. B. Barr; Ms. T. Agnello, Deputy City Clerk; and Ms. D. Black, Assistant Council Committee Co-ordinator

- 1. Moved by Councillor Hofland
Seconded by Councillor Bell

THAT the Council of the City of Guelph now hold a meeting that is closed to the public with respect to:

- labour relations or employee negotiations;
- litigation or potential litigation.

Carried

The meeting adjourned at 6:31 o'clock p.m.

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Mayor

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Deputy Clerk

Council Caucus Room
February 7, 2011 6:32 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, Van Hellemond and Wettstein

Absent: Councillor Burcher

Staff Present: Mr. M. Amorosi, Executive Director of Human Resources & Legal Services; Dr. J. Laird, Executive Director of Planning, Engineering & Environmental Services; Mr. D. McCaughan, Executive Director of Operations & Transit; Mr. G. Hunt, Manager, Labour Relations, Health & Safety/Assistant Director of Human Resources; Mr. D. Bush, Labour Relations Specialist; Mr. M. Anders, General Manager, Community Connectivity and Transit Mr. B. Barr, Manager, Fleet & Equipment; Ms. T. Agnello, Deputy City Clerk; and Ms. D. Black, Assistant Council Committee Co-ordinator

DECLARATIONS UNDER MUNICIPAL CONFLICT OF INTEREST ACT

There were no declarations.

RATIFICATION OF AMALGAMATED TRANSIT UNION COLLECTIVE AGREEMENT

Mr. M. Amorosi

- 1. Moved by Councillor Piper
Seconded by Councillor Laidlaw

THAT the Report regarding the Memorandum of Agreement between the City of Guelph and Amalgamated Transit Union Local 1189 on file with Human Resources be received.

Carried

HUMAN RIGHTS COMPLAINT

The Director of Human Resources provided information regarding a Human Rights Complaint.

The meeting adjourned at 6:58 o'clock p.m.

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Mayor

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Deputy Clerk

Council Chambers

February 7, 2011

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

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

Absent: Councillor Burcher

Staff Present: Dr. J. Laird, Executive Director of Planning, Engineering & Environmental Services; 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

Councillor Findlay declared a possible pecuniary interest with regard to 55 Yarmouth Street: Draft Plan of Condominium (Conversion) file 23CDM-11501 – Ward 1 because he has a commercial lease at an adjacent property and left the Chambers for this portion of the meeting and did not discuss or vote on the matter.

CONSENT AGENDA

1. Moved by Councillor Laidlaw
Seconded by Councillor Furfaro

THAT the February 7, 2011 Council Consent Agenda, as identified below, be adopted:

A.1) Official Plan Amendment No. 42 – Natural Heritage System Draft Official Decision

Dr. J. Laird
Mr. J. Riddell

THAT Report 11-09 dated February 07, 2011 from Planning, Engineering and Environmental Services regarding Official Plan Amendment (OPA) No. 42 – Draft Provincial Decision from the Ministry of Municipal Affairs and Housing be received;

AND THAT Council endorse the recommended modifications issued in the Draft Decision by the Ministry of Municipal Affairs and Housing on January 19, 2011 regarding OPA No. 42 adopted by Council July 27, 2010;

AND THAT Council recommend that the term *Natural Areas* as currently defined in the Glossary of the Official Plan (2001) be deleted and identified as a Modification to

Item 7 in OPA No.42 as part of the Final Decision from the Ministry of Municipal Affairs and Housing;

AND THAT staff be directed to incorporate the Natural Heritage System policies, mapping and associated definitions with modifications within the current Official Plan following receipt of the Ministry's Final Decision.

A.2) 133 Grange Street Upcoming Ontario Municipal Board Hearing File A-67/10

Dr. J. Laird
Mr. J. Riddell

THAT Report 11-04 regarding an appeal from the Committee of Adjustment Decision A-67/10 refusing a minor variance for a wider driveway at 133 Grange Street, City of Guelph, from Planning, Engineering and Environmental Services dated February 7, 2011, be received;

AND THAT the City not be a party at the upcoming Ontario Municipal Board hearing regarding an appeal from the Committee of Adjustment's Decision A-67/10 refusing a minor variance to permit a wider driveway.

VOTING IN FAVOUR: Councillors Bell, Dennis, Findlay, Furfaro, Guthrie, Hofland, Kovach, Laidlaw, 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.

DELEGATIONS

115 Fleming Road: Proposed Zoning By-law Amendment (File ZC1102) – Ward 1

Mr. C. DeVriendt, Senior Development Planner, provided a brief overview of the application.

Mr. Helmuth Strobel, applicant, advised there are multiple units permitted and they are proposing 69 freehold and 45 condominium units. He stated there will be an amenity area to comply with regulations and a landscape plan will be completed. The proposal will comply with the Official Plan guidelines and provide a housing mix. He advised

that the commercial units will face Gordon Street and they will work with staff to achieve acceptable streetscaping.

Staff were directed to assess the intensification of parking on the street, address visitor parking and the commercial node parking implications.

2. Moved by Councillor Bell

Seconded by Councillor Hofland

Dr. J. Laird
Mr. J. Riddell

THAT Report 11-06 regarding a Zoning By-law Amendment to permit the development of 69 townhouse dwelling units, consisting of 24 proposed on-street townhouse units and 45 proposed cluster townhouse units applying to property municipally known as 115 Fleming Road, and legally described as Part Lot 11, Plan 468, City of Guelph, from Planning, Engineering and Environmental Services dated February 7, 2011, be received.

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

VOTING AGAINST: (0)

Carried

55 Yarmouth Street: Draft Plan of Condominium (Conversion) File 23CDM-11501 – Ward 1

Councillor Findlay left the Chambers and did not discuss or vote on the matter.

Ms. Katie Nasswetter, Senior Development Planner, provided an overview of the application and advised that the applicant will agree to a condition that they create twenty new rental units within the Gummer Building development if the condominium conversion is approved.

Ms. Astrid Close, on behalf of the applicant, provided an outline of the current property use, zoning and parking. She advised the conversion would not have a negative impact on affordable housing. She stated that this project could help reverse the declining residential population base in the downtown and addresses the need for new residential projects. She said that the rent is not considered to be affordable, but the condominiums would fit into the affordable home ownership scale.

Mr. Jason Ashdown, applicant, provided information about Skyline. He advised they have a solid reputation for restoring and maintaining properties. He addressed some potential concerns surrounding the tenants' rights and

status and assured that the tenants would not be forced out.

Staff were directed to:

- request comment from the County's Director of Housing regarding any affect on affordable housing;
- report on the impact to tax revenue as a result of the condominium conversion;
- review opportunities to resolve downtown parking issues such as providing a parking assistance program for city lots;
- review the Residential Tenancies Act to be assured that the current tenants cannot be displaced as a result of the conversion.

3. Moved by Councillor Kovach
Seconded by Councillor Hofland

Dr. J. Laird
Mr. J. Riddell

THAT Report 11-07 regarding a Draft Plan of Condominium (File 23CDM-11501) applying to property municipally known as 55 Yarmouth Street, City of Guelph, from Planning, Engineering and Environmental Services dated February 7, 2011, be received.

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

VOTING AGAINST: (0)

Carried

1077 Gordon Street: Proposed Official Plan and Zoning By-law Amendment (File OP1101/ZC1011) – Ward 6

Mr. C. DeVriendt, Senior Development Planner, provided an outline of the application. He advised staff will review the application against provincial legislation and City policies.

Mr. Helmuth Strobel, applicant, advised the application is proposing medium to high density and they will be condominiums and not apartments. He stated they will undertake an Environmental Impact Study and address grading, geotechnical issues and groundwater concerns. He stated the design is in the infancy stage and showed one of their recently completed sites, similar to the one being proposed.

Mr. Bill Dubs, a resident of the adjacent townhouses, stated that the property has been rezoned from

agriculture to medium density, and objects to it being rezoned further for high density. He stated the following concerns:

- the aesthetics do not fit the neighbourhood;
- the height of the buildings would create too much shadowing;
- the development does not respect the residents' needs and desires or the business needs of the existing neighbourhood;
- the traffic issues the addition of 450 residents, potentially 250 vehicles would cause;
- residents of the City cannot afford the costs of infill developments;
- the increased density could increase crime and vandalism;
- no need for high density project for off-campus housing;
- the negative impact on the wildlife;

He asked that the proposal be rejected.

Ms. Val Wheaton, on behalf of the 1055 Gordon Street Townhouses, raised concerns about the public meeting notice process as many owners did not receive notification of the application. She raised the following issues:

- the setbacks are not enough and will negatively affect the privacy of the current residents;
- the height of the buildings will create too much shadowing;
- not enough open space;
- lack of regulations regarding noise, garbage, and property maintenance;
- intimidation and possible assault seniors may experience;
- the increased level of vehicular traffic;
- odour from garbage and commercial uses;
- lack of parking;
- entering and exiting of traffic on Gordon Street
- water shortage in the area;
- runoff and wastewater effluent affects on the wetland;
- affects on property values.

She requested the proposal be refused.

Staff were directed to:

- meet with the developer and the residents of 1055 Gordon Street to help resolve issues;
- review the Community Energy Plan with particular attention to transportation issues;
- give consideration to the issuance of universal bus passes for condominium owners;
- address parking and overflow issues;

- compare live/work developments of similar density to others and the associated parking issues;
- investigate the public notice issues raised;
- provide shadowing studies of the property; and
- address streetscape development.

Dr. J. Laird
Mr. J. Riddell

4. Moved by Councillor Findlay
Seconded by Councillor Hofland
THAT Report 11-05 regarding a Zoning By-law Amendment to permit the development of a residential apartment project and live/work units applying to property municipally known as 1077 Gordon Street, and legally described as Concession 7, Part Lot 4, Plan 61R9349, City of Guelph, from Planning, Engineering and Environmental Services dated February 7, 2011, be received.

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

VOTING AGAINST: (0)

Carried

SPECIAL RESOLUTION

Mr. M. Amorosi
Mr. M. Anders

5. Moved by Councillor Piper
Seconded by Councillor Laidlaw
That the Memorandum of Agreement between the City of Guelph and Amalgamated Transit Union Local 1189 on file with Human Resources be approved.

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

VOTING AGAINST: (0)

Carried

BY-LAWS

6. Moved by Councillor Furfaro
Seconded by Councillor Kovach
THAT By-laws Numbered (2011) - 19151 to (2011) - 19152, inclusive, are hereby passed.

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

VOTING AGAINST: (0)

Carried

ADJOURNMENT

The meeting adjourned at 8:15 o'clock p.m.

Minutes read and confirmed February 28, 2011.

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Mayor

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Deputy Clerk