

Council Chambers  
March 1, 2010

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

Present: Mayor Farbridge, Councillors, Bell, Billings, Burcher, Farrelly, Findlay, Kovach, Laidlaw, Piper, and Wettstein

Absent: Councillors Beard and Hofland

Staff Present: Mr. J. Riddell, Director of Community Design and Development Services; Mr. S. Hannah, Manager of Development and Parks Planning; Ms. K. Nasswetter, Senior Development Planner; 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.

**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.

**Consent Agenda**

1. Moved by Councillor Kovach  
Seconded by Councillor Laidlaw

THAT the balance of the March 1, 2010 Council Consent Agenda as identified below, be adopted:

- a) **1, 3 5 & 7 Rosewood Avenue Proposed Zoning By-law Amendment and Demolition of 1 & 3 Rosewood Avenue File (ZC0907)**

Ms. N. Shoemaker  
Mr. J. Riddell  
Mr. D. McCaughan  
Ms. M. Neubauer  
Ms. L.E. Payne

THAT Report 10-04 regarding a proposed Zoning By-law Amendment application to permit the development of additional parking spaces for the existing St. Joseph Catholic Church; a pedestrian access to the existing school from Rosewood Avenue; and a vehicular access to the existing St. Joseph Catholic Church and St. Joseph Catholic School from Rosewood Avenue, applying to the properties municipally known as 1, 3, 5 & 7 Rosewood Avenue, and legally described as Part of Lots 1 to 4, Registered Plan 349, City of Guelph, from Community

Design and Development Services dated March 1, 2010, be received;

AND THAT the application (ZC0907) by Black, Shoemaker, Robinson & Donaldson on behalf of The Roman Catholic Episcopal Corporation of the Diocese of Hamilton in Ontario for approval of a Zoning By-law Amendment from the current R.1B (Residential Detached) Zone to an I.1 (Institutional) Zone affecting the properties municipally known as 1, 3, 5 & 7 Rosewood Avenue, and legally described as Part of Lots 1 to 4, Registered Plan 349, City of Guelph, be approved in accordance with the permitted uses, regulations and conditions hereto attached as Attachment 1;

AND THAT the request by The Roman Catholic Episcopal Corporation of the Diocese of Hamilton in Ontario to demolish the detached dwelling located on the property municipally known as 1 Rosewood Avenue be approved;

AND THAT the request by The Roman Catholic Episcopal Corporation of the Diocese of Hamilton in Ontario to demolish the detached dwelling located on the property municipally known as 3 Rosewood Avenue be approved.

VOTING IN FAVOUR: Councillors, Bell, Billings, Burcher, Farrelly, Findlay, Kovach, Laidlaw, Piper, Salisbury, Wettstein and Mayor Farbridge. (11)

VOTING AGAINST: (0)

Carried

#### **410 Clair Road East – Proposed Zoning By-law Amendment (File ZC0912) – Ward 6**

Mr. S. Hannah, Manager of Development and Parks Planning provided a history of this application and reviewed the notification requirements under the Planning Act. He advised that the mailing list will include those who signed in at public meetings and those who have requested further information. He also advised that religious establishments are permitted within residential areas provided they meet criteria such as compatibility, noise, landscaping, and buffering.

Ms. K. Nasswetter, Senior Development Planner advised the application is to rezone a 1.6 hectare portion of the site along Clair Road East from the specialized R.4A-34 Zone and Z Zone to a new, modified R.4A-34 Zone to permit a religious establishment in addition to the uses already permitted. She stated that the concept plan has been revised since the public meeting held in December.

The revised plan proposes that the religious establishment would remain the same size and height as the original application, but it has been relocated to the centre of the property along Clair Road East. The main entrance to the site is from Clair Road, and the main entrance of the building is being proposed on the west side of the building. The applicant is also proposing a ten meter wide servicing corridor and pedestrian access to the site via Goodwin Drive.

Ms. Nasswetter also stated that the applicant is proposing a small portion on the north end of the site along Goodwin Drive to be rezoned Single-detached Residential Zone to permit three new lots in addition to the eight existing lots for detached dwellings. She advised that additional severance and lot addition applications will be required to create the lots.

She stated that staff will review key concerns received from the public related to parking, traffic, and urban design.

Councilor Salisbury arrived at 7:23 p.m.

Mr. Bill Birdsell, Architect, stated that the building will be completed in two phases with a maximum capacity of 400 people. The gross building area is 1,972 square metres, with a net usable area of approximately five thousand square feet. He stated the domes are an essential element that would be built within the first phase. The exterior building materials will be compatible with architecture in Guelph and he is willing to work with staff on all aspects of the design to address the raised concerns.

Adam Minnion spoke on behalf of the Westminster Woods Residents Association and raised concerns regarding:

- the traffic on Clair Road;
- aesthetic appeal;
- whether the development is in contravention of the Official Plan sections 7.2.22 and 7.2.27;
- ensuring the formula and numbers regarding the size of the footprint, capacity and gross floor area are accurate;
- issues regarding the occupancy load;
- the definition of "small scale" ;
- considering population growth trends;

He requested the City consider the Markham, Brampton and Toronto policies regarding Places of Worship and suggested that other properties be considered for the development. He also stated the residents are unhappy

because this proposal was not included in their master plan.

Jacqueline Smith, a resident of Westminster Woods, raised the issues of:

- traffic volume and patterns;
- aesthetics;
- building location, capacity issues and calculations; and
- the building being open 24/7.

Glenn Carducci, a neighbourhood resident, stated he had issues regarding:

- the size of the structure;
- the application process;
- building capacity and proportion;
- parking overflow;
- time restrictions on use of the property;
- timing of the road widening.

Bobbi Stewart stated she sees the need for the Sikh community to find a new place for worship and believes the issues can be worked out. She stated that the aesthetic appeal of the temple speaks to diversity in Guelph.

Sam Moghimi, a real estate agent, and resident of Westminster Woods raised the following issues:

- incompatibility with the neighbourhood
- buffering not mitigating the building size;
- potential loss of taxes;
- valuation of the property.

Erinn White, on behalf of the Guelph and District Labour Council stated they are in support of the temple. She stated that the aesthetics and architecture of a building best reflect the uses and inhabitants and would like to see the diversity and equity values reflected in this development.

Dr. Wayne Martin, a resident of Westminster Woods, stated that he has no objection to a place of worship and does not want it forced outside of the city or into a non-residential area. He asked the following issues be addressed:

- stringent conditions put in place regarding traffic, lighting, and parking
- making the property subject to parameters similar to the residential properties;
- tree berms to shield neighbours from viewing the parking lot;

- housing along Goodwin to be designed in keeping with the neighbourhood;
- clarification of the purpose of the pedestrian access from Goodwin and assurance that vehicular access should be limited to emergency vehicles.

Mark Kozak, a resident of Westminster Woods raised the following issues:

- lack of restrictions regarding expansion;
- the lack of public input;
- wanting the same restrictions on the current development as were placed on the long term care facility;
- the site design phase being used to address concerns for lights, architecture and parking rather than being part of the zoning approval;

Bill Hulet, speaking as part of a multi-faith group of communities in Guelph stated that some issues are a result of fear or opposition to any religious establishment. He stated that a religious establishment serves an important function in society.

Rev. John Lawson, a United Church Minister, lives in Guelph and serves Dublin Street United Church advised that his denomination owned property in the south end but disposed of it because of planning and zoning issues. He stated the spiritual component is a necessary part of a healthy community and there needs to be more presence in the south end of the city. He stated the temple would represent the face of Guelph and its diversity and he would like the Sikh community and others accommodated in the south end.

Dr. Dennis Galon feels that there are many similarities between the way a Sikh temple and a Christian church is used. He stated there is very little activity throughout the week, but Sunday mornings they busy. He does not believe the Sikh community will expand more than what they are requesting because they are only building in a growth component. He does not believe you can base a religious establishment's capacity upon the number of people in the building; rather it needs to be based on the way the building is used. He was told the central dome is there to allow natural light to come into the building and the worship space is two stories high so the usable space will not be the basement and second floor. He also noted balconies on two sides of the building will also cut into the gross usable space. He stated there must be a distinction between vestibule, lobby, hall and worship space. He noted that temple will be open 24/7 and believes it is a

symbolic statement that the doors are open to everyone and the community should embrace it.

Susan Watson acknowledged that the final decision for this development will hinge on addressing community concerns such as parking, traffic flow, site plans and sight lines. She stated the City needs to plan for the spiritual needs of Guelph citizens just as they do for schools, recreation centers and green spaces. She advised that places of worship are historically built in residential areas. She stated that the Places to Grow Legislation encourages cities and towns to develop complete communities which would include places of worship as part of the infrastructure. She also believes that demographic changes will mean depending on attracting diversity to retain skilled immigrants and this development would be an opportunity for that.

James Profit, a Jesuit Priest stated that many years ago rumors and prejudice faced religious establishments that were not mainstream and the level of tolerance in Guelph has improved. He recognizes planning issues need to be addressed and hopes the development can be accommodated to provide more people the opportunity to worship.

Staff will:

- provide 3-D modeling;
- review Brampton and Toronto's policies on places to worship;
- review parking requirements;
- provide comparative information of religious establishments in Guelph regarding size and associated space, gyms, parking and green space;
- provide an understanding of capacity issues in relation to gross floor area;
- provide a current zoning map for religious establishment zoning within Guelph;
- address the structure height issue for suitability;
- review taxation impact;
- compare service requirements of a temple and a long-term care facility;
- determine the level of public and stakeholders input in the process;

1. Moved by Councillor Findlay  
Seconded by Councillor Burcher

Mr. J. Riddell

THAT report 10-12 regarding a Zoning By-law Amendment application for the property municipally known as 410 Clair Road East, City of Guelph, from Community Design and Development Services, dated March 1, 2010, be received.

VOTING IN FAVOUR: Councillors, Bell, Billings, Burcher, Farrelly, Findlay, Kovach, Laidlaw, Piper, Salisbury, Wettstein and Mayor Farbridge. (11)

VOTING AGAINST: (0)

Carried

**ADJOURNMENT**

The meeting adjourned at 9:40 o'clock p.m.

Minutes read and confirmed March 22, 2010.

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Mayor

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Deputy Clerk

## **SCHEDULE 2**

### **Proposed Zoning By-law Amendment Regulations and Conditions**

The properties affected by this Zoning By-law Amendment are municipally known as 1, 3, 5 & 7 Rosewood Avenue and legally described as Part of Lots 1 to 4, Registered Plan 349, City of Guelph.

The following zoning is proposed:

#### **I.1 (Institutional) Zone**

### **Regulations**

#### **For the I.1 Zone:**

#### **Permitted Uses**

In accordance with the uses permitted by Sections 8.1.1 and 8.1.1.1 (Institutional Zone) of Zoning By-law (1995)-14865, as amended.

#### **Regulations**

In accordance with Section 4 (General Provisions) and Section 8.2 and Table 8.2 (Institutional Zone Regulations) of Zoning By-law (1995)-14864, as amended.

### **Conditions**

The following conditions are provided as information to Council and will be imposed through site plan approval:

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.
  - a. Further, the Owner commits and agrees that the Landscape Plan shall be generally in accordance with the concept plans attached to the March 1, 2010 Planning Staff Report as Schedules 7 and 8 (preliminary landscape plans).
  - b. Further, the Owner commits and agrees that any proposed lighting required for safety purposes will be low-level lighting that will not infringe upon adjacent properties.
2. Prior to site plan approval, the owner deeds to the City free of all encumbrances a 1.52 m wide parcel of land along Paisley Road for a road widening across the entire exterior side property line of 1 Rosewood Avenue.



3. Prior to site plan approval, the subject lands merge with the adjacent St. Joseph's Church property (409 Paisley Road/4 Guelph Street) or the St. Joseph's Catholic School property (10 Guelph Street).
4. Prior to site plan approval, appropriate easements be in place for the proposed interconnections between the church lands and the school lands.
5. Prior to site plan approval and prior to any construction or grading on the lands, the developer 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.
6. That the developer 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.
7. Prior to any development of the lands and prior to any construction or grading on the lands, the developer shall construct, install and maintain erosion and sediment control facilities, satisfactory to the City Engineer, in accordance with a plan that has been submitted to and approved by the City Engineer.
8. The owner shall pay to the City the actual cost of construction of the new driveway entrance(s) and the required curb cut/fill and furthermore, prior to issuance of a building permit, the owner shall pay to the City the estimated cost of driveway entrances and the required curb cut/fill, as determined by the City Engineer.
9. The owner shall be responsible for the entire cost of removal of existing services prior to issuance of a building permit.
10. The owner shall pay the actual cost of constructing and installing any service laterals required and furthermore, prior to issuance of a building permit, the owner shall pay to the City the estimated cost of the service laterals, as determined by the City Engineer.
11. That the owner enters 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.