

Council Caucus Room
April 2, 2012 5:45 p.m.

An Open Meeting of Guelph City Council.

Present: Mayor Farbridge, Councillors Bell, Burcher, Dennis, Findlay, Furfaro, Kovach, Laidlaw (*vacated at 8:53 p.m.*), Piper (*vacated at 8:39 p.m.*), Van Hellemond and Wettstein

Absent: Councillors Guthrie and Hofland

Staff Present: Ms. A. Pappert, Chief Administrative Officer; and Ms. T. Agnello, Deputy Clerk;

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

Citizen Appointments to the Board of Trustees of the Elliott Community

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

CAO Performance Objectives

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

Carried

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Mayor

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Deputy Clerk

Council Caucus Room
April 2, 2012 5:47 p.m.

A Closed Meeting of Guelph City Council.

Present: Mayor Farbridge, Councillors Bell, Burcher, Dennis, Findlay, Furfaro, Kovach, Laidlaw (*vacated at 8:53 p.m.*), Piper (*vacated at 8:39 p.m.*), Van Hellemond and Wettstein

Absent: Councillors Guthrie and Hofland

Staff Present: Ms. A. Pappert, Chief Administrative Officer; and Ms. T. Agnello, Deputy Clerk;

DECLARATIONS OF PECUNIARY INTEREST

There was no declaration of pecuniary interest.

Citizen Appointments to the Board of Trustees of the Elliott Community

- 1. Moved by Councillor Laidlaw
Seconded by Councillor Burcher
That the direction be approved.

Carried

CAO Performance Appraisal

The CAO provided information regarding the CAO Performance Appraisal.

The meeting adjourned at 6:50 p.m.

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Mayor

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Deputy Clerk

Council Chambers
April 2, 2012 7:00 p.m.

An Open Meeting of Guelph City Council

Present: Mayor Farbridge, Councillors Bell, Burcher, Dennis, Findlay, Furfaro, Kovach, Laidlaw (*vacated at 8:53 p.m.*), Piper (*vacated at 8:39 p.m.*), Van Hellemond and Wettstein

Absent: Councillors Guthrie and Hofland

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; 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

1. Moved by Councillor Findlay
Seconded by Councillor Burcher
THAT the balance of the April 2, 2012 Council Consent Agenda as identified below, be adopted:

**a) 1475-1483 and 1499 Gordon Street:
Proposed Official Plan Amendment and Zoning
By-law Amendment (Files OP1102 & ZC1111)
- Ward 6**

Astrid J. Clos
Dr. J. Laird
Mr. T. Salter
Mr. D. McCaughan
Ms. S. Aram

THAT Report 12-30 dated April 2, 2012 regarding a proposed Official Plan Amendment and Zoning By-law Amendment for the property municipally known as 1475-1483 and 1499 Gordon Street from Planning & Building, Engineering and Environment be received;

AND THAT the application by Astrid J. Clos Planning Consultants for approval of an Official Plan Amendment to redesignate lands from the "Medium Density Residential" to the "Commercial Mixed Use" land use designation affecting a portion of the lands municipally known as 1475-1483 and 1499 Gordon Street and legally described as Part of Lots 1, 2 and 3, Registered Plan 74, Geographic Township of Puslinch, City of Guelph, be approved in the form set out in Attachment 2 of Planning & Building, Engineering and Environment Report 12-30 dated April 2, 2012 attached hereto as Schedule 1;

AND THAT the application by Astrid J. Clos Planning Consultants for approval of a Zoning By-law Amendment to change the zoning from the current R.1B (Single Detached Residential) Zone and C.1-18 (Specialized Convenience Commercial) Zone to a CR-? (Specialized Commercial-Residential) Zone to permit the development of a commercial building with the permitted uses within the standard CR (Commercial-Residential) Zone with the addition of a "pharmacy" use and "live-work units" for the property municipally known as 1499 Gordon Street (as

reconfigured by approved consent to sever applications) and legally described as Part of Lots 1, 2 and 3, Registered Plan 74, Geographic Township of Puslinch, City of Guelph, be approved, in accordance with the provisions set out in Attachment 3 of Planning & Building, Engineering and Environment Report 12-30 dated April 2, 2012 attached hereto as Schedule 2;

AND THAT the request by Astrid J. Clos Planning Consultants to demolish the detached dwelling located on the property municipally known as 1499 Gordon Street be approved;

AND THAT in accordance with Section 34 (17) of the Planning Act, City Council has determined that no further public notice is required related to the minor modifications to the proposed zoning by-law amendment affecting 1475-1483 and 1499 Gordon Street as set out in Report 12-30 from Planning & Building, Engineering and Environment dated April 2, 2012.

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

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.

11 Starwood Drive: Proposed Draft Plan of Subdivision, Official Plan Amendment and Zoning By-law Amendment (Files 23T-11502/OP1102/ZC1113) – Ward 1)

Mr. Chris DeVriendt, Senior Development Planner, advised the applicant is proposing to subdivide the property to include: 63 on-street townhouse units; 138 stacked townhouse units; 1 commercial block (0.479 ha in size); 1 library block (0.426 ha in size) and 1 park block (0.042 ha in size). He stated the Official Plan Amendment is to redesignate the portion of lands currently designated "Industrial" to "Mixed Use Node". He also advised the

applicant is requesting to rezone the lands from Industrial Zone to Specialized On-Street Townhouse, Specialized Cluster Townhouse, Neighbourhood Shopping Centre Zone, Specialized Institutional Zone and Specialized Neighbourhood Park Zone.

Mr. Keith MacKinnon, of KLM Planning Inc., on behalf of the applicant, advised they will provide additional information regarding potential commercial use and they believe their proposal is compatible with the neighbourhood.

Mr. John Cousins, a resident of Frasson Drive, raised concerns about increased traffic from the residential component; streetscape appearance of the stacked townhomes and the effect the smaller homes on values of existing properties. He stated a commercial development would be a better use.

Mr. Wilmer Torres, a resident of Frasson Drive, prefers similar homes would be built across the street. He also has concerns regarding decreased property values and increased traffic.

Mr. Rob Rebellato, a resident of Frasson Drive, concurred with previous delegations regarding traffic safety issues, streetscape compatibility and devaluation of property. He expressed concern with the experimental nature of the development and questioned why more public consultation was not done prior to this meeting. He requested an opportunity for stakeholders to discuss options and advised he would like single family homes on Frasson Dr. with intensification closer to the library. He provided a petition from residents of Frasson Drive.

Mr. Nathan Florence, a Frasson Drive Resident, agreed with the previous delegates. He also raised the issue of the walkability. He believes the density of the development will cause people to feel less safe and will change the feel of the neighbourhood. He believes there are not enough single family homes available and an excessive amount of townhomes.

Staff were requested to address the following matters:

- providing a traffic study for both residential and commercial development;
- conformity to the Official Plan with attention to walkability;
- meeting with residents of Frasson Drive regarding compatibility issues;

- consider rezoning part of the commercial node to residential;
- determining whether a two stage approach would be more effective;
- locating similar type houses on the streetscape and putting the higher density buildings closer to the library;
- rezoning a section of property onto Watson Road as commercial to increase commercial component.

2. Moved by Councillor Dennis
Seconded by Councillor Piper

Dr. J. Laird
Mr. T. Salter

THAT Report 12-31 regarding applications for a Draft Plan of Subdivision, Official Plan Amendment and a Zoning By-law Amendment to permit the development of a mixed use residential, commercial and institutional subdivision, applying to property municipally known as 11 Starwood Drive, and legally described as Part of Lot 5, Concession 3, City of Guelph, from Planning & Building, Engineering and Environment, dated April 2, 2012, be received.

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

VOTING AGAINST: (0)

Carried

Official Plan Update Phase 3 (OPA48): Statutory Public Meeting

Ms. Melissa Aldunante, Senior Policy Planner, outlined the vision and policies and the staging of development of the Official Plan Update. She provided a brief summary of changes, additions and deletions being addressed in the various chapters of the Official Plan. She also advised of the consultation process and next steps.

Staff were requested to provide clarification with respect to the following when reporting back to Council:

- explaining how the cycling target was established and why it is not greater than 3%;
- outlining the allowance of drive-thrus under certain conditions rather than prohibiting them and addressing related accessibility issues;
- redefining low density to protect stabilized neighbourhoods as it pertains to splitting one lot into 2, 3 or 4 parcels;
- providing a document to clearly show the changes being proposed to enable the public to better see what is being affected;

- providing a more defined timeline for development south of Clair Road and outlining the capital funding and staffing needs to commence the work;
- clarifying how a Secondary Plan may supersede policies within the Official Plan, such as height policies;
- explaining why a residential component to commercial/mixed use nodes are being suggested rather than prescribed;
- clarifying the walkability factor staff are using for commercial/mixed use nodes.

Councillor Piper vacated the meeting at 8:39 p.m.

Council also raised the following issues for staff consideration when reporting back:

- Greenfield density requirements;
- the absence of specifics of southend development and lack of walkability to work places;
- concern that infill will change the feel of certain neighbourhoods through the assembling of lands to create high density;
- the issue of branding;
- accessibility issues for commercial services;
- how to revise mixed use policies;
- explaining how affordable housing targets fit into the Official Plan;
- providing guidelines and expected percentage of water use reduction for industries required to demonstrate water reduction on site for high volume of water use.

Councillor Laidlaw vacated the meeting at 8:53 p.m.

In response to a question regarding the need to widen Gordon Street staff stated that Gordon Street is to be widened with the implementation of the South End Secondary Plan when specific requirements will be clear.

Staff stated that the requirement to include a financial impact study plan with development applications required in Halton Hills is somewhat equivalent to the City's Development Priorities Plan but they will examine options to address financial implications of phasing and fiscal impact assessments.

It was suggested that staff examine the feasibility of adopting financial tools other municipalities use, such as front end financing to be able to move the development staging along sooner.

Mr. Marc Kemerer, on behalf of Cooper Construction, advised they have several concerns with the proposed Official Plan which are outlined in his letter dated March 8th. He stated that the City marketed the lands for warehousing purposes, yet the Official Plan is directing warehousing to the built up area rather than to the Greenfield Area lands within the Hanlon Creek Business Park. He believes the policies within the Official Plan are contradictory and will create confusion and uncertainty, thus preventing development of the properties. He requested that the Official Plan be amended to direct warehousing to Greenfield Areas.

He said the Official Plan Amendment additional density targets creates uncertainty for business development and there is no clarity of flexibility of the numbers. He stated there needs to be standard water efficiencies benchmarks and specific Urban Design Guidelines. He also noted that clarification that surface parking in Greenfield Areas will not be an impediment to development approvals needs to occur. He would like any reference to sidewalks to be deleted and height restrictions be set out in metres. He requested a meeting with staff to address their concerns.

Dr. Hugh Whiteley, a City resident, expressed concern that more public consultation has not occurred in the process. He said the current Official Plan recognizes the importance of the River Systems Management Plan, established environmental corridors, recognizes the natural heritage system and the necessity for a holistic approach and the need to protect ravines, and the proposed Official Plan greatly reduces their importance. He believes that all interpretative powers being given to staff will make it difficult to appeal the Official Plan. He said the vision statement is too technical and should focus more on capturing core values and intentions. He also said the background to the Official Plan should include a demographic and economic trends summary.

Ms. Georgia Mason, on behalf of Mayfield Community Neighbourhood Association stated they are supportive of Low density designation and the designation assigned to 716 Gordon Street. She believes that development on the property could meet intensification needs along the corridor and the intensification goals would still be compatible with the neighbourhood and protect the century-old heritage trees and heritage property surrounding the development and support walk ability and use of public transit.

3. Moved by Councillor Kovach

Dr. J. Laird
Mr. T. Salter

Seconded by Councillor Burcher
THAT Report 12-39 regarding Phase 3 of the Five Year
Official Plan Review (OPA 48) from Planning & Building,
Engineering and Environment dated April 2, 2012 be
received.

VOTING IN FAVOUR: Councillors Bell, Burcher, Dennis,
Findlay, Furfaro, Kovach, Van Hellemond and Wettstein
and Mayor Farbridge (9)

VOTING AGAINST: (0)

Carried

ADJOURNMENT

The meeting adjourned at 9:26 p.m.

Minutes to be confirmed on April 23, 2012.

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Mayor

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Deputy Clerk

Proposed Official Plan Amendment

Amend Schedule 1, Land Use Plan of the Official Plan by changing the land use designation affecting a 3181 square metre portion of the lands municipally known as 1475-1483 and 1499 Gordon Street and legally described as Part of Lots 1, 2 and 3, Registered Plan 74, Geographic Township of Puslinch, City of Guelph, from the current "Medium Density Residential" to "Commercial-Residential".

Regulations and Conditions

The properties affected by the Zoning By-law Amendment application are municipally known as 1475-1483 and 1499 Gordon Street and legally described as Part of Lots 1, 2 and 3, Registered Plan 74, Geographic Township of Puslinch, City of Guelph.

The following zoning is proposed for 1499 Gordon Street (as reconfigured by the approved severances):

Specialized CR-? (Commercial-Residential) Zone

Permitted Uses

In addition to the permitted uses listed in Section 6.6.1 (Commercial Residential Zone) of Zoning By-law (1995)-14864, as amended, the following additional uses shall be permitted:

- Pharmacy
- Live-Work Units
- Restaurant (take-out) to a maximum gross floor area of 140 square metres

The following definitions shall apply in the Specialized CR-? Zone:

A "Live-Work Unit" shall mean a dwelling unit, part of which may be used as a business establishment and the dwelling unit is the principal residence of the business operator.

A "Street Entrance" shall mean the principal entrance to a business which shall be located in a part of the building facing a public street or public square which is at or within 0.2 metres above or below grade.

Regulations

In accordance with Schedule 4 (General Provisions) and Section 6.6.2 and Table 6.6.2 of Zoning By-law (1995)-14864, as amended, with the following exceptions:

Minimum Side Yard

3 metres

Maximum Gross Floor Area

1620 square metres

Minimum Number of Off-Street Parking Spaces

- Office and dry cleaning outlet uses shall be provided at a ratio of 1 parking space per 35 square metres of gross floor area;

- Artisan studio, convenience commercial, financial establishment, florist, personal service establishment, and pharmacy uses shall be provided at a ratio of 1 parking space per 20 square metres of gross floor area

Maximum Building Setback to Gordon Street

7 metres

Building Entrances

The street entrance shall be located facing Gordon Street

Prohibited Uses

Drive-through facilities shall not be permitted

A "Drive-Through Use" shall be defined as a use which involves or is designed to encourage a customer to remain in a vehicle while receiving a service, obtaining a product or completing a business transaction. The use shall include vehicular stacking spaces and a serving window, and may include an intercom order box.

Specialized C.1-18 (Convenience Commercial) Zone

Permitted Uses

- Vehicle Service Station

Buildings or Structures in the C.1-18 Zone which existed legally prior to the passage of this By-law shall be deemed to conform with this By-law. Any extension or enlargement of existing Buildings or Structures shall require an amendment to the Zoning By-law and be in accordance with Sections 4 and 6.1.2.

Regulations

Within the Commercial C.1 Zone, no land shall be used and no Building or Structure shall be erected or used except in conformity with the applicable regulations contained in Section 4 – General Provisions and the regulations contained in Section 4 – General Provisions and the regulations listed in Table 6.1.2.

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, tree preservation, grading and drainage and servicing on the said lands

to the satisfaction of the General Manager of Planning Services and the General Manager/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 details of the layout, elevations and design for development of the subject lands shall be in general accordance and conformity with the Owner's concept plans attached as Attachment 6 to the April 2, 2012 Planning & Building, Engineering and Environment Report Number 12-30 (Site Plan, prepared by Astrid J. Clos Planning Consultants, Project No. 1029, dated July 27, 2011).
2. Prior to the issuance of site plan approval, the Owner shall provide the City with written confirmation that the building on the subject site will be constructed to a standard that implements energy efficiency in order to support the Community Energy Initiative to the satisfaction of the General Manager of Planning Services in accordance with the letter attached as Attachment 8 to Report 12-30 from Planning & Building, Engineering and Environment dated April 2, 2012.
3. If any dwelling units are developed on the subject lands, the Owner shall be responsible for the payment of cash-in-lieu of parkland dedication in accordance with the City of Guelph By-law (1989)-13410, as amended by By-law (1990)-13545 and By-Law (2007)-18225, or any successor thereof prior to the issuance of building permits.
4. Prior to the issuance of site plan approval, the Owner shall have a Professional Engineer design a grading plan and stormwater management system, satisfactory to the General Manager/City Engineer.
5. That the Owner 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.
6. Prior to any development of the lands and prior to any construction or grading on the lands, the developer shall submit a detailed Storm water Management Report and plans to the satisfaction of

the City Engineer which demonstrates how storm water will be controlled and conveyed.

7. Prior to any development of the lands and prior to any construction or grading on the lands, the Owner 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 constructing and installing any new service laterals required and the cost of removing existing service laterals that will not be used by the development.
9. The Owner shall pay to the City the actual cost of the construction of the new mutual access and the required curb cut if required, prior to site plan approval and prior to any construction or grading on the lands, the developer/owner shall pay to the City the estimated cost as determined by the General Manager/City Engineer of constructing the new access/private road and the required curb cut.
10. The Owner shall construct the new buildings at such an elevation that the lowest level of the new buildings can be serviced with a gravity connection to the sanitary sewer.
11. Prior to site plan approval the Owner shall pay proportionate costs associated with the actual construction of continuous centre turning lane on Gordon Street (Arkell Road to Lowes Road).
12. The Owner shall pay to the City, as determined applicable by the Chief Financial Officer/City Treasurer, development charges and education development charges, in accordance with the City of Guelph Development Charges By-law (2009)-18729, as amended from time to time, or any successor thereof, and in accordance with the Education Development Charges By-laws of the Upper Grand District School Board (Wellington County) and the Wellington Catholic District School Board, as amended from time to time, or any successor by-laws thereof, prior to this issuance of any building permits, at the rate in effect at the time of the issuance of a building permit.
13. The Owner shall make satisfactory arrangements with Union Gas for the servicing of the lands, as well as provisions for any easements and/or rights-of-way for their plants, prior to the development of the lands.
14. That all electrical services to the lands are underground and the Owner shall make satisfactory arrangements with Guelph Hydro Electric Systems Inc. for the servicing of the lands, as well as provisions for any easements and/or rights-of-way for their plants, prior to the development of the lands.

15. The Owner shall ensure that all telephone service and cable TV service in the Lands shall be underground. The Developer shall enter into a servicing agreement with the appropriate service providers for the installation of underground utility services for the Lands.
16. That an easement of a satisfactory width will be required over the lot addition to 1475-1483 Gordon Street property, registered on title in favour of 1499 Gordon Street property if an outlet to the proposed storm sewer between Lots 17 and 18, Registered Plan 61M-133 is required. In the event the easement is required, the Owner must submit a remedial action plan to the satisfaction of the City to address the contamination of 1475-1483 Gordon Street.
17. The Owner shall have a Professional Engineer identify and minimize any potential impacts of the development on the existing private water wells on the adjacent residential properties.
18. The Owner shall provide one driveway access to serve the development lands at 1499 Gordon Street (as reconfigured by approved consent for severance applications B-05/11 and B-06/11) utilizing the proposed access easement.
19. That any domestic wells, septic systems and boreholes drilled for hydrogeological or geotechnical investigations shall be properly abandoned in accordance with current Ministry of the Environment Regulations and Guidelines. The Owner shall submit a Well Record to the satisfaction of the City Engineer.
20. That prior to site plan approval, the Owner shall enter into a development agreement with the City, registered on title, satisfactory to the City Solicitor, the General Manager of Planning Services and the General Manager/City Engineer, covering the conditions noted above and to develop the site in accordance with the approved plans and reports.