



**Minutes of Guelph City Council
Held in the Council Chambers, Guelph City Hall on
Monday, April 14, 2014 at 5:30 p.m.**

Attendance

Council: Mayor Farbridge
Councillor B. Bell
Councillor L. Burcher
Councillor T. Dennis
Councillor I. Findlay
Councillor J. Furfaro
Councillor C. Guthrie
Councillor J. Hofland
Councillor G. Kovach
Councillor M. Laidlaw
Councillor L. Piper
Councillor A. Van Hellemond
Councillor K. Wettstein

Staff: Ms. A. Pappert, Chief Administrative Officer
Mr. M. Amorosi, Executive Director, Corporate & Human Resources
Dr. J. Laird, Executive Director, Planning, Building, Engineering and Environment
Mr. D. McCaughan, Executive Director, Operations, Transit & Emergency Services
Mr. D. Thomson, Executive Director, Community & Social Services
Mr. D. Godwalt, General Manager, Human Resources
Ms. F. Tranquilli-Nardini, Manager, Labour Relations, Health & Safety
Mr. P. Meagher, General Manager, Community Connectivity & Transit
Mr. T. Salter, General Manager Planning Services
Ms. S. Kirkwood, Manager of Development Planning
Mr. B. Labelle, City Clerk
Ms. D. Black, Council Committee Coordinator

Call to Order (5:30 p.m.)

Mayor Farbridge called the meeting to order.

Authority to Resolve into a Closed Meeting of Council

1. Moved by Councillor Dennis
Seconded by Councillor Hofland

That the Council of the City of Guelph now hold a meeting that is closed to the public, pursuant to Section 239 (2) (b), (d) and (e) of the *Municipal Act* with respect to personal matters about an identifiable individual ; labour relations or employee negotiations; and litigation or potential litigation.

CARRIED

Closed Meeting (5:31 p.m.)

Disclosure of Pecuniary Interest and General Nature Thereof

There were no disclosures.

The following matters were considered:

C.2014.17 Personal Matters About an Identifiable Individual

C.2014.18 Litigation or Potential Litigation

Rise from Closed Meeting (6:52 p.m.)

Council recessed.

Open Meeting (7:00 p.m.)

Mayor Farbridge called the meeting to order.

The Mayor acknowledged the passing of the former Minister of Finance, Jim Flaherty and Guelph Transit Driver, RuthAnn Crocker and offered condolences on behalf of Council.

Silent Prayer

Disclosure of Pecuniary Interest and General Nature Thereof

There were no disclosures.

Council Consent Agenda

The following item was extracted:

CON-2014.22 Disposition and Redevelopment of Property Framework – 200 Beverley Street (Former IMICO Site)

Balance of Council Consent Items

2. Moved by Councillor Dennis
Seconded by Councillor Burcher

That the balance of the April 14, 2014 Consent Agenda as identified below, be adopted:

CON-2014.21 66 Eastview Road – Proposed Zoning By-law Amendment (File: ZC1307) Phase 1 - Ward 2

1. That the application by Polocorp Inc/iPlus for approval of a Zoning By-law Amendment from the UR (Urban Reserve) Zone to the R.3A (Cluster Townhouse) Zone, P.1 (Conservation Land) Zone and WL (Wetland) Zone to permit the development of approximately 30 condominium townhouse units accessed from Eastview Road at a portion of the property municipally known as 66 Eastview Road and legally described as Part of Lot 2, Concession 5, Division C, City of Guelph from Planning, Building, Engineering and Environment dated October 7, 2013, be approved in accordance with the zoning regulations and conditions outlined in Attachment 1 attached hereto.
2. 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 66 Eastview Road.

Planning Public Meeting

Mayor Farbridge announced that in accordance with The Planning Act, Council is 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 the planning matters listed on the agenda.

144 Watson Road North – Proposed Zoning By-law Amendment (File: ZC1313) – Ward 1

Ms. Katie Nasswetter, Senior Development Planner advised the applicant is requesting to amend the zoning on the subject property from a CC-15 (H) (Community Shopping Centre) and FL (Floodplain) Zone to a specialized R.4B (High Density Apartment) Zone to permit the development of a 133 dwelling unit apartment building. She noted one level of underground parking is proposed with some surface parking for a total of 160 parking spaces in lieu of the standard 172 spaces. The GRCA has confirmed that the elevation of the parking is not currently on the flood plain and CN Rail have not provided any feedback on the application to date. She outlined the specialized regulations that would be required which include: reduced common amenity areas per unit, reduced parking rations and a “Severability Provision” where the by-law would apply to the lands zoned as a whole despite any future land division.

Mr. Kyle Bittman, on behalf of the applicant, provided an overview of the plan. He explained the positive effects the increased density could have on commercial development and believes their proposal meets the Places to Grow legislation and the City’s mixed use node plans. He confirmed they will submit their plans for compliance with the City’s Community Energy Plan.

Discussion ensued regarding waste removal, massing, streetscape, urban design and timing of the development of the neighbourhood. The issue of on-street parking and the feasibility of providing car share spots were also raised.

3. Moved by Councillor Furfaro
Seconded by Councillor Bell

That Report 14-20 regarding a proposed Zoning By-law Amendment application (File ZC1313) by Coletara Development to permit approximately 133 residential apartment units at 144 Watson Road North, legally described as Part Lot 5, Concession 3, Division C (formerly Guelph Township), designated as Part 2, Reference Plan 61R-10049, City of Guelph, from Planning, Building, Engineering and Environment dated April 14, 2014, be received.

VOTING IN FAVOUR: Mayor Farbridge, Councillors Bell, Burcher, Dennis, Findlay, Furfaro, Guthrie, Hofland, Kovach, Laidlaw, Piper, Van Hellemond and Wettstein (13)

VOTING AGAINST: (0)

CARRIED

Consent Agenda

- CON-2014.22 Disposition and Redevelopment of Property Framework – 200
Beverly Street (Former IMICO Site)**

Staff advised there is no change in policy required to provide the movement of the funds being requested. Engineering staff are reviewing the issues identified in 2008 to determine the current status of the property. Discussion ensued regarding available FCM funds and staff advised an application is being submitted. They will provide the real estate advisor of progress to date. It was noted that it costs approximately \$50,000 a year to maintain the property and staff will bring forward a chronology of the property developments.

4. Moved by Councillor Bell
Seconded by Councillor Furfaro

1. That Guelph City Council receive report FIN-ED-14-04 "Disposition and Redevelopment of Property Framework – 200 Beverley Street (Former IMICO Site)".
2. That Council approve the re-allocation of funds, in the total amount of \$75,000 from the Brownfield Capital Reserve Account # 357 in the amount of \$20,000 and the DC Exempt Reserve Account # 156 in the amount of \$55,000 for the purpose of contracting real estate advisory services for the IMICO property as described in report FIN-ED-14-04.

VOTING IN FAVOUR: Mayor Farbridge, Councillors Bell, Burcher, Dennis, Findlay, Furfaro, Guthrie, Hofland, Kovach, Laidlaw, Piper, Van Hellemond and Wettstein (13)

VOTING AGAINST: (0)

CARRIED

By-laws

5. Moved by Councillor Van Hellemond
Seconded by Councillor Dennis

That By-laws numbered (2014)-19728 to (2013)-19730, inclusive, are hereby passed.

VOTING IN FAVOUR: Mayor Farbridge, Councillors Bell, Burcher, Dennis, Findlay, Furfaro, Guthrie, Hofland, Kovach, Laidlaw, Piper, Van Hellemond and Wettstein (13)

VOTING AGAINST: (0)

CARRIED

Recess

6. Moved by Councillor Laidlaw
Seconded by Councillor Burcher

That the meeting be recessed and reconvened in a meeting that is closed to the public.

CARRIED

Closed Meeting (7:40 p.m.)

The following matters were considered:

C.2014.20 Labour Relations or Employee Negotiations

Rise from Closed Meeting and Adjourn (8:03 p.m.)

7. Moved by Councillor Hofland
Seconded by Councillor Furfaro

That Council rise from the closed meeting and the meeting be adjourned.

CARRIED

Minutes to be confirmed on May 26, 2014.

Mayor Farbridge

City Clerk

Recommended Zoning Regulations and Conditions

The property affected by the Zoning By-law Amendment application is municipally known as 66 Eastview Road and is legally described as Part of Lot 2, Concession 5, Division C, City of Guelph.

PROPOSED ZONING

The following zoning is proposed for 66 Eastview Road:

R.3A (Cluster Townhouse) Zone

In accordance with Section 5.3 of Zoning By-law (1995)-14864, as amended.

P.1 (Conservation Land) Zone

In accordance with Section 9.1 of Zoning By-law (1995)-14864, as amended.

WL (Wetland) Zone

In accordance with Section 13.2, 13.3 and 13.4 of Zoning By-law (1995)-14864, as amended.

PROPOSED CONDITIONS

The following conditions that apply to the condominium townhouse development 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(s), indicating the location of buildings, landscaping, parking, circulation, access, lighting, grading and drainage on the said lands to the satisfaction of the General Manager of Planning Services and the City Engineer, prior to Site Plan approval, 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 conceptual development plan attached as Attachment 5 to the April 14, 2014 Planning, Building, Engineering and Environment Report Number 14-21.
 - b) Further, the Owner commits and agrees that the detailed site plan shall provide enhanced side building elevations for the proposed townhouse dwellings facing Eastview Road.
 - c) Further, the Owner commits and agrees that the design of the townhouse dwellings include garages that do not protrude in front of the living area. Generally, the townhouse entrances/porches are to be flush with the garage door or in front of the garage door.
 - d) Further, the Owner commits and agrees that the detailed site plan shall provide a 3 metre wide landscaped buffer strip and solid screen privacy fencing along the easterly property line to provide screening and enhance privacy to the satisfaction of the General Manager of Planning Services.
2. The Owner shall update and finalize as required by the City, any or all of the following studies, plans and reports to the satisfaction of the City Engineer:

- a) a geotechnical report certified by a Professional Engineer that analyzes the permeability and hydraulic conductivity of the soils and recommends measures to ensure that they are not diminished by the construction and development;
 - b) a servicing and stormwater management report certified by a Professional Engineer in accordance with the City's Guidelines and the latest edition of the Ministry of the Environment's "Stormwater Management Practices Planning and Design Manual" which addresses the quantity and quality of stormwater management onsite together with a monitoring and maintenance program for the stormwater management facility;
 - c) a detailed erosion and sediment control plan in accordance with the Grand River Conservation Authority Guidelines, certified by a Professional Engineer that indicates the means whereby erosion will be minimized and sediment maintained on-site throughout all phases of grading and construction.
3. The Owner shall, to the satisfaction of the General Manager/City Engineer, address and be responsible for adhering to all the recommended measures contained in the plans, studies and reports outlined in subsections 2 a) to c) inclusive.
 4. The Owner acknowledges and agrees that the suitability of the land for the proposed uses is the responsibility of the landowner. The Owner shall retain a Qualified Person (QP) as defined in Ontario Regulation 153/04 to prepare and submit a Phase 1 Environmental Site Assessment and any other subsequent phases required, to assess any real property to ensure that such property is free of contamination. If contamination is found, the consultant will determine its nature and the requirements for its removal and disposal at the Owner's expense. Prior to the site plan approval, a Qualified Person shall certify that all properties to be developed are free of contamination.
 5. If contamination is found, the Owner shall
 - a. submit all environmental assessment reports prepared in accordance with the Record of Site Condition (O. Reg. 153/04) describing the current conditions of the land to be developed and the proposed remedial action plan to the satisfaction of the City;
 - b. complete any necessary remediation work in accordance with the accepted remedial action plan and submit certification from a Qualified Person that the lands to be developed meet the Site Condition Standards of the intended land use; and
 - c. file a Record of Site Condition (RSC) on the Provincial Environmental Registry for lands to be developed.
 6. Prior to site plan approval, the Owner shall have a Professional Engineer design a grading/drainage plan and stormwater management system for the site, satisfactory to the General Manager/City Engineer.
 7. The Owner shall grade, develop and maintain the site including the storm water management facilities designed by a Professional Engineer, in accordance with a Development Plan that has been submitted to and approved by the General Manager/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.
 8. Prior to site plan approval, the Owner shall construct, install and maintain erosion and sediment control facilities, satisfactory to the General Manager/City Engineer, in accordance with a plan that has been submitted to and approved by the General Manager/City Engineer.

9. The Owner shall pay to the City the actual cost of the construction of the new driveway accesses, curb cut including boulevard restoration, i.e. topsoil/sod within the right-of-way allowance prior to site plan approval. Furthermore, prior to site plan approval, the Owner shall pay to the City the estimated cost of constructing the new driveway accesses, curb cut, including boulevard restoration, i.e. topsoil/sod within the right-of-way allowance as determined by the General Manager/City Engineer.
10. The Owner shall pay to the City the actual cost of any service laterals required and furthermore, prior to site plan approval, the Owner shall pay to the City the estimated cost of the service laterals, as determined by the General Manager/City Engineer.
11. The Owner pays the actual cost of removing any existing service laterals that are not being used for the townhouse development and furthermore, prior to site plan approval, the Owner shall pay to the City the estimated cost of removing the existing service laterals, as determined by the General Manager/City Engineer.
12. The Owner constructs 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.
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 plant, prior to any severance of the lands and prior to any construction or grading on 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 any severance of the lands and prior to any construction or grading on the lands.
15. The Owner shall ensure that all telephone service and cable TV service in the Lands shall be underground. The Owner shall enter into a servicing agreement with the appropriate service providers for the installation of underground utility services for the Lands.
16. Prior to the issuance of a building permit, any domestic wells, monitoring wells 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 General Manager/City Engineer.
17. The Owner acknowledges that the City does not allow retaining walls higher than 1.0 metre abutting existing residential properties without the permission of the General Manager/City Engineer.
18. The Owner shall prepare an Environmental Implementation Report (EIR) based on terms of reference approved by the City and Grand River Conservation Authority (GRCA). This includes a wetland water balance and stormwater management plan, biological monitoring protocols and baseline data; trail alignment and design details; detailed tree conservation plan; restoration/enhancement plans for buffers; invasive & species management; design of education and stewardship materials.
19. That prior to the issuance of building permits, the Owner shall pay to the City a cash payment in-lieu of conveyance of parkland in accordance with By-law (1989)-13410, as amended by By-law (1990)-13545 and By-law (2007)-18225 or any successor thereof.

20. The Owner shall be responsible for the cost of design and development of the demarcation of all lands conveyed to the City in accordance with the City of Guelph Property Demarcation Policy. This shall include the submission of drawings for approval by the City and the administration of the construction contract up to the end of the warrantee period by an Ontario Association of Landscape Architects (OALA) member to the satisfaction of the Executive Director of Community and Social Services. The Owner shall provide the City with cash or letter of credit to cover the City approved estimate for the cost of development of the demarcation for the City lands to the satisfaction of the Executive Director of Community and Social Services.
21. The Owner shall be responsible for the cost of design and implementation of the Open Space Works and Restoration in accordance with the "Environmental Implementation Report" to the satisfaction of the Executive Director Community and Social Services. This shall include the submission of drawings for approval by the City and the administration of the construction contract up to the end of the warrantee period by an Ontario Association of Landscape Architects (OALA) member to the satisfaction of the Executive Director of Community and Social Services. The Owner shall provide the City with cash or letter of credit to cover the City's estimate for the cost of the Open Space works and restoration for the City lands to the satisfaction of the Executive Director of Community and Social Services.
22. The Owner shall design and develop the Storm Water Management Facility Landscaping in accordance with the City's current "Design Principles for Storm Water Management Facilities" to the satisfaction of the Executive Director of Community and Social Services and the City Engineer. This shall include the submission of drawings for approval and the administration of the construction contract up to the end of the warrantee period completed by an Ontario Association of Landscape Architects (OALA) member to the satisfaction of the Executive Director of Community and Social Services. The Owner shall provide the City with cash or letter of credit to cover the City's estimate for the cost of the Storm Water Management Facility Landscaping for the City lands to the satisfaction of the Executive Director of Community and Social Services.
23. The Owner shall be responsible for the cost of design of the Trail System for the Storm Water Management & Open Space Blocks. This shall include obtaining any required permits, submitting drawings for approval, identifying the trail system, interpretative signage and trail design details to the satisfaction of the Executive Director of Community and Social Services. This shall include the submission of drawings completed by an Ontario Association of Landscape Architects (OALA) member for approval to the satisfaction of the Executive Director of Community and Social Services.
24. The Owner shall submit a Noise Impact Study to the satisfaction of the General Manager of Planning Services addressing the potential traffic noise impacts from Eastview Road.
25. Prior to the issuance of site plan approval, written confirmation shall be received from the General Manager of Solid Waste Resources or his or her designate that the proposed development is in conformance with By-law (2011)-19199, known as the Waste Management By-law.
26. Prior to the issuance of site plan approval for the lands, the owner shall pay to the City, the City's total cost of reproduction and distribution of the Guelph Residents' Environmental Handbook, to all future households within the project, with such payment based on a cost of one handbook per residential household, as determined by the City.

27. 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.
28. Prior to the issuance of site plan approval, the Owner shall provide the City with written confirmation that the subject site will be developed 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 7 to Report 14-21 from Planning, Building, Engineering and Environment dated April 14, 2014.
29. The Owner shall enter into an agreement with the City, registered on title, satisfactory to the City Solicitor and the General Manager/City Engineer, covering the conditions noted above.