

Council Chambers
May 3, 2010 7:00 p.m.

A meeting of Guelph City Council.

Present: Mayor Farbridge, Councillors Beard, Bell, Billings, Burcher, Farrelly, Findlay, Hofland, Laidlaw, Piper, Salisbury and Wettstein

Absent: Councillor Kovach

Staff Present: Mr. J. Riddell, Director of Community Design & Development Services; Mr. S. Hannah, 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.

PLANNING MEETING

Consent Agenda

The following items were extracted from the May 3, 2010 Consent Agenda to be voted on separately:

- A-2: 1671 Gordon Street: proposed zoning by-law amendment (file ZC0607)

1. Moved by Councillor Salisbury
Seconded by Councillor Hofland

THAT the balance of the May 3, 2010 Council Consent Agenda as identified below, be adopted:

- a) **47-51 Paisley Street: Proposed Zoning By-law Amendment (File ZC0901) – Ward 3**

THAT Report 10-47 dated May 3, 2010 regarding an application for a Zoning By-law Amendment for 47-51 Paisley Street from Community Design and Development Services be received;

AND THAT the application by Black, Shoemaker, Robinson & Donaldson for a Zoning By-law

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

Amendment (File ZC0901) from the R.1B (Residential Single Detached) Zone to a Specialized R.1B-?? (Residential Single Detached) Zone affecting the property known as 47-51 Paisley Street and legally described as Part Lot 1, Registered Plan 324, City of Guelph, be approved in the form of a Specialized R.1B-?? (H) Holding Zone, in accordance with the regulations set out in Schedule 1 attached.

b) Transit Terminal Project Lease Agreement – Relocation of Locomotive 6167

Ms. L.E. Payne

THAT the Mayor and Clerk be authorized to execute a Lease Agreement between the City and Goderich-Exeter Railway Company for a site to accommodate and display Steam Locomotive 6167, subject to the form and content being satisfactory to the City Solicitor.

VOTING IN FAVOUR: Councillors Beard, Bell, Billings, Burcher, Farrelly, Findlay, Hofland, Laidlaw, Piper, Salisbury, Wettstein and Mayor Farbridge (12)

VOTING AGAINST: (0)

Carried

1671 Gordon Street: Proposed Zoning By-law Amendment (File: ZC0607) – Ward 6

Mr. Chris DeVriendt, Senior Planner, advised that the storm water management, grading and landscaping concerns would be addressed by the site plan agreement. He stated staff is amenable to including the abutting property owners in the site plan approval process.

Mr. Scott Hannah, Manager of Development and Parks Planning stated that parking signage would also be addressed.

- 2. Moved by Councillor Billings
- Seconded by Councillor Wettstein

Mr. A. Artinger
 Mr. D. Voicu
 Mr. J. Riddell
 Ms. L.E. Payne
 Ms. M. Neubauer
 Mr. D. McCaughan

THAT Report 10-48 dated May 3, 2010 regarding a Zoning By-law Amendment for property municipally known as 1671 Gordon Street from Community Design and Development Services be received;

AND THAT the application by Reid’s Heritage Group for a Zoning By-law Amendment from the R.1B (Residential Single Detached) Zone to a Specialized R.3A-? Cluster Townhouse Zone affecting property municipally known as 1671 Gordon Street and legally described as Part of Lot 9, Concession 7, City of Guelph, Part 1 of 61R-9745, City of Guelph be approved in accordance with the regulations and conditions as amended and set out in Schedule 2 attached hereto;

AND THAT the following be added to Condition 7 of Schedule 2:

"The abutting property owners shall be permitted to review and provide input into the site plan, grading and storm water management plan before approval".

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 1671 Gordon Street as set out in Report 10-48 from Community Design and Development Services dated May 3, 2010.

VOTING IN FAVOUR: Councillors Beard, Bell, Billings, Burcher, Farrelly, Findlay, Hofland, Laidlaw, Piper, Salisbury, Wettstein and Mayor Farbridge (12)

VOTING AGAINST: (0)

Carried

ADJOURNMENT

The meeting adjourned at 7:13 o’clock p.m.

Minutes read and confirmed May 25, 2010.

.....
Mayor

.....
Deputy Clerk

Schedule 2

Permitted Uses, Regulations and Conditions

That the request to amend the zoning on 47-51 Paisley Street from the existing R.1B (Single-detached Residential) to the R.1B-(H) (Specialized Single-detached Residential) with Holding Zone, BE APPROVED subject to the following permitted uses, regulations and conditions:

Specialized Residential R.1B-(H) Holding Zone

47-51 Paisley Street

As shown in Defined Area Map No. 24 of Zoning By-law (1995)-14864, as amended, and with the following permitted uses, regulations and conditions:

Permitted Uses

In addition to the Uses listed in Section 5.1.1., the following additional use shall be permitted:

- A multiple dwelling containing a maximum of four (4) dwelling units.

Holding Provision

Purpose:

To ensure that the development of the lands does not proceed until the owner has completed certain conditions to the satisfaction of the City of Guelph.

Holding Provision Conditions:

Prior to the removal of the holding symbol "H", the owner shall complete the following conditions to the satisfaction of the City:

1. The owner shall arrange for a building inspection of the entire building by the City of Guelph Building Services. This inspection is required to confirm only four dwelling units exist and that the basement wall and kitchen and all associated plumbing have been removed.
2. The owner shall arrange for the City of Guelph Fire Department to complete an inspection of the building. All fire code upgrades requested by the Fire Prevention Officer must be completed by the owner.
3. Material alterations may require the owner to apply and obtain a building permit. Building services to determine if permits are required after the inspection from conditions number 1 and 2 have been completed.
4. The owner shall pay development charges to the City in accordance with the City's Development Charges By-law, 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 thereto.

5. The owner shall pay to the City cash-in-lieu of parkland dedication in accordance with By-law (1989)-13410, as amended by By-law (1990)-13545, or any successor thereof.

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, which includes the existing senior's residence at 1691 Gordon Street, 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 design for development of the subject lands shall be generally in accordance with and conform to the concept plan attached as **Schedule 5** to the May 3, 2010 Community Design and Development Services Staff Report 10-48. This includes the provision of a 6 metre wide internal driveway at the eastern portion of the property to provide a future connection to the adjacent lands at 1665 and 1657 Gordon Street.
2. The owner shall prepare a tree conservation and protection plan to the satisfaction of the Director of Community Design and Development Services, prior to site plan approval. This plan shall incorporate the retention to the greatest extent possible of the existing hedgerow trees along the northerly property line between the subject property and the adjacent property at 1665 Gordon Street and outline tree protection measures (ie tree protection fencing, grading activities) to be implemented.
3. The owner agrees that permanent full vehicular access to the property shall be provided from Gosling Gardens. The owner further agrees that the full access to Gordon Street that is currently provided through the existing service road will be a temporary full access, and that it will be restricted to a limited right-in/right-out access if and when the adjacent properties are redeveloped. The owner also agrees that the configuration of the future limited access to Gordon Street will be established by eliminating the existing service road and by reconstructing the Gordon Street median, in co-ordination with the owners of the adjacent developments and to the satisfaction of the City Engineer. The owner will share, with the owners of the adjacent redevelopments, the costs of providing the future limited access to Gordon Street and the costs of the Gordon Street median reconstruction.

4. The Owner shall construct the 6 metre wide by 31.450 metre access road at the eastern portion of the property as shown on the proposed concept plan attached as **Schedule 5** to the May 3, 2010 Community Design and Development Services Staff Report 10-48 to provide for a future connection/right-of-way to the adjacent lands at 1665 Gordon Street and 1657 Gordon Street. Such access road/right-of-way shall provide the future opportunity for the property owner(s) of 1665 Gordon Street and 1657 Gordon Street to use the access road/right-of-way for the limited use of the right-in/right-out access to Gordon Street upon redevelopment of these properties. That prior to site plan approval, the servient tenement 1671 Gordon Street, constructs and grants an 6.0 metre wide by approximately 31.450 metre long access road/right-of-way for vehicular access over 1671 Gordon Street, registered on title, in favour of the dominant tenements 1665 Gordon Street and 1657 Gordon Street.
5. Prior to site plan approval and prior to any construction or grading on the lands, the Owner shall have the Professional Engineer who designed the site plan identify and report to the City on any private easements that are required for services or access to the subject lands. Furthermore, prior to the issuance of a building permit, the Owner shall have a lawyer certify to the City that the easements identified by the Professional Engineer are in place.
6. Prior to the issuance of a building permit and prior to any construction or grading on the lands, the Owner shall have a Professional Engineer design a grading plan and stormwater management system, satisfactory to the City Engineer
7.
 - (a) Prior to site plan approval and prior to any construction or grading on the lands, the owner 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. The Owner also agrees to maintain the stormwater drainage outlet for the existing residential properties to the north at 1665 and 1657 Gordon Street.
 - (b) The abutting property owners shall be permitted to review and provide input into the site plan, grading and storm water management plan before approval.
8. 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.

9. 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.
10. That in the event there are any future problems with the functioning of the private septic systems for the current owners at 1665 Gordon Street and 1657 Gordon Street, the owner of 1671 Gordon Street agrees to provide, at their expense, a connection for these private septic systems to their onsite sanitary sewer system that provides a connection to the municipal sanitary sewer at Gosling Gardens, to the satisfaction of the City Engineer.
11. The Owner shall pay to the City the actual cost of constructing and installing 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 City Engineer.
12. Prior to site plan approval, the Owner shall pay to the City its share of the actual cost of all municipal services on Gosling Gardens, across the frontage of the lands including road works, sanitary sewer, storm sewer, watermain, curb and gutter, catch basins, sidewalks and street lighting as determined by the City Engineer.
13. Prior to site plan approval, the owner shall pay to the City its share of the actual cost of constructing municipal services on Gordon Street across the frontage of the lands including roadworks, sanitary sewer, storm sewer, curb and gutter, catchbasins, sidewalks and street lighting as determined by the City Engineer.
14. Prior to site plan approval, the Owner shall pay to the City its share of the actual cost of constructing the storm water outlet and municipal storm water management facilities to serve the site as determined by the City Engineer.
15. Prior to site plan approval, the Owner shall deed to the City a 0.30 metre reserve across the Gordon Street frontage and across the Gosling Gardens frontage of the lands, as required by the City Engineer.

16. That any domestic wells and boreholes drilled for hydrogeological or geotechnical investigations shall be properly abandoned in accordance with current Ministry of the Environment Regulations and Guidelines to the satisfaction of the City Engineer.
17. That all telephone and Cable TV service to the lands be underground and the Owner shall enter into a servicing agreement with the appropriate service providers to provide for the installation of underground telephone service prior to development of the lands.
18. That the Owner makes 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.
19. 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.
20. That the Owner shall pay development charges to the City in accordance with By-law Number (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 thereto.
21. That the Owner shall pay to the City cash-in-lieu of park land dedication in accordance with By-law (1989)-13410, as amended from time to time, or any successor thereof.
22. The Owner acknowledges and agrees that the residential units on the subject site will be constructed to an ENERGY STAR standard that promotes energy efficiency standards in order to comply with the Community Energy Plan, to the satisfaction of the Director of Community Design and Development Services. This will include third party certification.
23. That the Owner enters into a site plan control 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.