

Council Committee Room B  
July 7, 2008 6:00 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. H. Loewig, Chief Administrative Officer; Ms. L.E. Payne, Director of Corporate Services/City Solicitor; Mr. J. Riddell, Director of Community Design and Development Services; Mr. R. Henry, City Engineer; Mr. S. Mattina, Manager Roads/Right of Ways; Mrs. L.A. Giles, Director of Information Services/City Clerk; and Ms. J. Sweeney, Council Committee Co-ordinator

- 1. Moved by Councillor Burcher  
Seconded by Councillor Farrelly

THAT the Council of the City of Guelph now hold a meeting that is closed to the public, pursuant to Section 239 (2) (d) and (e) of the Municipal Act, with respect to:

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

Carried

The meeting adjourned at 6:01 o'clock p.m.

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Mayor

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Clerk

Council Committee Room B  
July 7, 2008 6:02 p.m.

**A meeting of Guelph City Council meeting in Committee of the Whole.**

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

Staff Present: Mr. H. Loewig, Chief Administrative Officer; Mr. M. Amorosi, Director of Human Resources; Ms. L.E. Payne, Director of Corporate Services/City Solicitor; Mr. J. Riddell, Director of Community Design and Development Services; Mr. R. Henry, City Engineer; Mr. S. Mattina, Manager Roads/Right of Ways; Ms. L. MacIntyre, Manager Compensation, Benefits & HRIS; Mrs. L.A. Giles, Director of Information Services/City Clerk; and Ms. J. Sweeney, Council Committee Co-ordinator

**DECLARATIONS UNDER MUNICIPAL CONFLICT OF INTEREST ACT**

There were no declarations of pecuniary interest.

The City Engineer provided information with respect to a potential litigation matter.

- 1. Moved by Councillor Burcher  
Seconded by Councillor Beard

Mr. M. Amorosi

THAT staff be given direction with respect to a labour relations or employee negotiations matter.

Carried

The meeting adjourned at 6:50 o'clock p.m.

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Mayor

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Clerk

Council Chambers  
July 7, 2008

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

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

Staff Present: Mr. H. Loewig, Chief Administrative Officer; Mr. J. Riddell, Director of Community Design and Development Services; Mr. C. DeVriendt, Development Planner/Site Plan Coordinator; Mr. S. Hannah, Manager of Development & Parks Planning; Ms. S. Smith, Associate Solicitor; Ms. K. Nasswetter, Senior Development Planner; Mrs. L.A. Giles, Director of Information Services/City Clerk; and Ms. J. Sweeney, Council Committee Co-ordinator

**DECLARATIONS UNDER MUNICIPAL CONFLICT OF INTEREST ACT**

There was no declaration of pecuniary interest.

**PLANNING PUBLIC MEETING**

**410 Clair Road East – Proposed Zoning By-law Amendment (File ZC0804) – Ward 6**

Katie Nasswetter, Senior Development Planner advised that the application is to rezone a 1.2 hectare portion of the site along Clair Road East from A (Agriculture) to a specialized R.4A zone to permit the development of a 192 bed nursing home. She further advised that on a 0.24 hectare portion of the site fronting on Goodwin Drive, the applicant wishes to amend the zoning to the R.1D (Single-Detached Residential) zone to create eight lots.

Peter Cheatley on behalf of Extendicare (Canada) Inc. was present and provided information on the applicant. He advised that Extendicare (Canada) Inc. has a long history and is one of the largest providers of long-term care in Canada. He advised that they have been working with Reid's Heritage Homes with respect to the construction of the residential component.

Santiago Kunzle of Mongomery Sisam Architects Inc. outlined the various environmental initiatives of the proposed development to reduce light pollution, water and energy efficiencies.

Andre Spekkens provided information on the beds available and the number of employees that will be at this facility.

1. Moved by Councillor Kovach  
Seconded by Councillor Billings

Mr. J. Riddell

THAT report 08-75 regarding a Zoning By-law Amendment for the property municipally known as 410 Clair Road East, City of Guelph, from Community Design

and Development Services dated July 7, 2008, be received.

VOTING IN FAVOUR: Councillors Beard, Bell, Billings, Burcher, Farrelly, Findlay, Hofland, Kovach, Laidlaw, Piper, Salisbury, Wettstein and Mayor Farbridge (13)

VOTING AGAINST: (0)

Carried

**98 Cityview Drive – Proposed Draft Plan of Subdivision and Associated Zoning By-law Amendment (File 23T-08501 / ZC0801) – Ward 1**

Chris DeVriendt, Senior Development Planner advised that the application is to develop the property for residential use consisting of 29 detached dwellings and 16 semi-detached dwelling units along with a 0.12 hectare parkette. He advised that the small lot additions for certain blocks will be added to the adjacent development of Oakes Crescent which will be brought before Council at a future meeting. He advised that the staff will address following issues:

- Review criteria with respect to the conformity of the design with the adjacent plan of subdivision (23T-01506)
- Evaluate proposal against general residential polices of the Official Plan
- Evaluate proposal against the Provincial Policy Statement and the Places to Grow legislation
- Review of proposed zoning
- Review timing in relation to the Development Priorities Plan and phasing policy
- Acceptability of parkland dedication
- Community Energy Plan consideration.

Jennifer Passey suggested that the application exceeds the targets of Places to Grow legislation and that schools and transit are in place in the vicinity. She advised that i Lacy Way was removed due to difficult topography found on the site.

2. Moved by Councillor Billings  
Seconded by Councillor Burcher

Mr. J. Riddell

THAT Report 08-74 regarding a Proposed Draft Plan of Residential Subdivision and associated Zoning By-law Amendment apply to property municipally known as 98 Cityview Drive, City of Guelph, from Community Design and Development Services dated July 7, 2008, be received.

VOTING IN FAVOUR: Councillors Beard, Bell, Billings, Burcher, Farrelly, Findlay, Hofland, Kovach, Laidlaw, Piper, Salisbury, Wettstein and Mayor Farbridge (13)

VOTING AGAINST: (0)

Carried

### **CONSENT AGENDA**

The following items #A-1 and A-2 were extracted from the Consent Agenda to be voted on separately.

3. Moved by Councillor Wettstein  
Seconded by Councillor Billings  
THAT the balance of the July 7, 2008 Consent Agenda as identified below, be adopted:

a) **Amendment to Brownfield Redevelopment Community Improvement Plan**

Mr. J. Riddell

THAT the proposed amendment to the Brownfield Redevelopment Community Improvement Plan be approved in accordance with the proposed policies and mapping contained in Schedule C of Community Design and Development Services Report #08-77 dated July 7, 2008;

AND THAT the City actively pursue funding opportunities, where available from the Provincial and Federal Governments for brownfield remediation.

VOTING IN FAVOUR: Councillors Beard, Bell, Billings, Burcher, Farrelly, Findlay, Hofland, Kovach, Laidlaw, Piper, Salisbury, Wettstein and Mayor Farbridge (13)

VOTING AGAINST: (0)

Carried

### **0 Woodlawn Road West – Proposed Zoning By-law Amendment (ZC0701) – Ward 3**

Scott Hannah, Manager of Development & Parks Planning advised that the application is to permit the uses in the existing CC-18 Zone to apply to be extended to include the entire site to increase the maximum gross floor area to 32,600m<sup>2</sup>. He advised that the additional floor space would be comprised of a 6,000m<sup>2</sup> addition to the junior department store in the form of a grocery sales component and 12,200m<sup>2</sup> for smaller retail and service

commercial buildings to be dispersed across the balance of the site. He highlighted four critical issues and advised that the application is not premature and that the application is supportive of the Commercial Policy Review recommendations. He further advised that phasing of the application is not necessary and the application is supportive of both the Provincial Policy Statement and the Growth Plan. He advised that the urban design of the site is an important component and suggested that the minimum building height requirement in specific locations be amended to any portion of a building located within 35 metres of the corner intersection of Woodlawn Road and Woolwich Street shall have a minimum building height of 2 storeys and in no case less than 8.5 metres. He advised that City departments and agencies are supportive of this application.

Prakash David, Director of Development for 6 & 7 Developments advised that the expansion would allow a grocery store component to be added to the existing Walmart store and additional space for other retail uses. He estimated that it would take approximately 4 years to fully complete the proposed expansion. He advised that they have worked with staff to incorporate the Community Energy Plan into the proposed development. He further advised that they are committed to dealing with the issues of the Woodlawn Cemetery Commission with respect to the widening of Woodlawn Road and are happy to participate in the process that would determine the allocation between all the parties with respect to this work.

Peter Smith, of Bousfields Inc., planner for the applicant, suggested that the proposal conforms to the Growth Plan. He suggested that the density for the proposal is approximately 60-70 jobs per hectare and that does not include any residential component.

Robert Glover provided an overview of the urban design considerations for the proposal. He outlined the proposed Woodlawn Road / Woolwich Street intersection design. He advised that it is the intent of the developer to create a real public street feeling and not a large parking area.

Steve Carpenter of Endermodal Engineering Limited provided information with respect to the proposed green initiatives for the site development with respect to wetland dedication, living wall screening to the north, reduced parking lot lighting, creation of a transit hub, expansion of the storm water management system. He also outlined various energy savings and water

conservation components. He suggested that the development conforms to the Community Energy Plan.

Kevin Groh on behalf of Walmart provided information with respect to the number of employees. He also highlighted the company's involvement in various community events and activities. He advised that the biggest request received from the consumers is for a grocery component.

Roslyn Hauser, legal counsel for the applicant provided information with respect to the market report and the justification for a grocery component. She advised that this forms an integral part of the Commercial Policy Review that was approved by Council.

Ben Bennett expressed concern that it has taken a year from the initial public meeting to tonight and that the proposal does not look very different. He suggested that there was not enough time from when the report was released to obtain an opinion/review by an independent planner. He suggested that there is a need for a commercial development plan for the entire city before any decision is made on this application. He requested that the application be deferred until more information is available.

Stephen Rodd suggested that the location on the north edge of the City does not need more commercial development to serve the needs of the local residents. He further suggested that there are parts of the city which have significant residential development but with very few commercial services available. He requested that Council think of the whole community and reject the application.

Susan Watson requested that the decision on this application be deferred until another professional planning opinion can be obtained. She suggested that any future development must be transit supported and that the minimum requirements of the growth plan are not acceptable.

Susan Ratcliffe requested that Council reject the application as by 2031 most of the population will be over 65 years of age and will not be working and will not be able to shop in big box style stores.

Brian Holstein expressed concern with the effect this development would have on other retail stores in the downtown. He suggested that there were grocery stores located in the northend of the city but that there was not

enough business to make them viable. He further suggested that there is no need to increase the size of the Walmart store as there are already a number of isles of food items.

Alan Pickersgill urged Council to not approve the application and suggested that Walmart is trying to sell us something we don't need. The north end of the City does not need a grocery store as there already of a number of grocery stores within a short drive of this area. He suggested that the east side of Guelph has a greater need for a grocery store. He further suggested that approving this application would be shifting development from areas where it is needed. He then suggested that if the application is not rejected, that it be deferred for ten years to determine what the actual needs of the city area.

Vi Morgan expressed concern with the market study presented at the OMB hearing on the original application. She suggested that a grocery store is not needed in the north end of the City.

James Profit of Ignatius Jesuit Centre advised that he has no objection to the proposed expansion of the site. He advised that a legal agreement was reached with the developer which would provide mitigation measures if an expansion occurs. He requested that the Centre be included in any discussions if further intensification on the site is proposed.

Connie Shaw suggested that the same concerns are today as they were with the original application. She expressed concern with the speed at which the development is happening. She requested that further time be allowed for analysis and dialogue.

Frazer Nagy expressed concern with the proposed expansion of the site and requested that Council refuse the application which would send a strong message that this type of development is not supported. He suggested that the retail proposed for this site can be found at other locations in the city. He also suggested that the site is not bicycle or pedestrian friendly.

Diane Hurst expressed concern with the proposed expansion and suggested that the City look at another planner's comments.

4. Moved by Councillor Kovach  
Seconded by Councillor Wettstein  
THAT the application by 6&7 Developments Limited for a Zoning By-law Amendment from the UR (Urban Reserve)

Zone, the SC.2-3 (Service Commercial) Zone and the CC-18 (Community Shopping Centre) Zone to a new specialized CC-18 (Community Shopping Centre) Zone (ZC0701) affecting property municipally known as 0 Woodlawn Road and legally described as Part of Lots 4, 5, 6 and 7, Registered Plan 169, designated as Part 2, 3, 4, 5, 6 and 7 of Reference Plan 61R-9980, City of Guelph, be approved in accordance with the recommendation set out in Schedule 2 of the Community Design and Development Services Report 08-55 dated July 7, 2008;

AND THAT the "Minimum Building Height Requirement in Specific Locations" in Schedule 2 be replaced with the following:

*Minimum Building Height Requirement in Specific Locations*

*Any portion of a building located within 35 metres of the corner intersection of Woodlawn Road and Woolwich Street shall have a minimum building height of two (2) storeys and in no case less than 8.5 metres."*

AND THAT City Council directs the Director of Community Design and Development Services to advise property owners directly adjacent to the site in writing when a formal application for site plan approval has been filed with the City to allow the opportunity to view the plans and make suggestions, if necessary, for the consideration of the Director of Community Design and Development Services prior to granting site plan approval.

VOTING IN FAVOUR: Councillors Billings, Kovach, Wettstein and Mayor Farbridge (4)

VOTING AGAINST: Councillors Beard, Bell, Burcher, Farrelly, Findlay, Hofland, Laidlaw, Piper and Salisbury, (9)

Defeated

5. Moved by Councillor Findlay  
Seconded by Councillor Hofland  
THAT the Procedural By-law be suspended to allow Council to go beyond 11:00 p.m.

Carried

6. Moved by Councillor Burcher  
Seconded by Councillor Piper  
THAT the matter of investigating phasing strategies for all future commercial developments similar to the Development Priorities Plan, be referred to the

Counc. Burcher  
Mr. J. Riddell

Community Development & Environmental Services Committee.

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

VOTING AGAINST: Councillor Kovach (1)

Carried

**168 Fife Road – Proposed Zoning Amendment (ZC0615) – Ward 4**

Chris DeVriendt, Senior Development Planner advised that following the public meeting December 3, 2007, public meetings were held with the neighbourhood in an attempt to address the concerns raised. He advised that the application was revised following these meetings by shifting the private access road to the east approximately 3 metres at the southerly portion of the site. This modification will increase the separation distance between the roadway and the adjacent properties and provide further protection to the existing trees. The visitor parking location was also relocated to the central portion of the site. He advised that the resident's major issue was the density of the site and that the application was modified to provide for a total of 18 residential units. He provided information with various conditions added which address maintenance, waste collection, snow removal, sidewalk construction and construction of new units to energy star standards.

Subash Chugh, owner/applicant thanked staff and the neighbouring residents for their input and assistance in designing the site. He urged Council to approve the application.

Ken Coutts suggested that the developer was not willing to compromise and that an impasse was reached with respect to the number of residential units. He suggested that 14 units would be more acceptable.

Leanne McClymont advised that in December she opposed any development but through the mediation process hoped to reach an agreement for the development of the site. She further advised that she would like to see the number of units reduced to 2 semi-detached units and 10 townhouse units.

Roberto Masferrer Andurray advised that he was not opposed to the site being developed but was opposed to how it was to be developed. He expressed concern with the number of residential units proposed. He requested that the application be approved with a lower density.

7. Moved by Councillor Kovach

Seconded by Councillor Hofland

THAT Report 08-72 regarding a Zoning By-law Amendment for the property municipally known as 168 Fife Road from Community Design and Development Services dated July 7, 2008, be received;

AND THAT the application by Everest Homes for a Zoning By-law amendment from the UR (Urban Reserve) Zone to the R.2 (Residential Semi-Detached/Duplex) Zone and a new Specialized R.3A (Residential Cluster Townhouse) Zone affecting the property municipally known as 168 Fife Road and legally described as Part of Lot B, Concession 2, Division E in the City of Guelph, be approved, in accordance with the regulations and conditions, as amended to reflect a density of two semi detached residential dwellings and 10 townhouse dwellings, for a total of 14 residential units, as set out in Schedule 2 of the Community Design and Development Services Report 08-72 dated July 7, 2008;

AND THAT the request by Everest Homes to demolish the detached dwelling located on the property municipally known as 168 Fife Road be approved;

AND THAT City Council directs the Director of Community Design and Development Services to advise property owners directly adjacent to the site in writing when a formal application for site plan approval has been filed with the City to allow residents the opportunity to view the plans and make suggestions, if necessary, for the consideration of the Director of Community Design and Development Services prior to granting site plan 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 168 Fife Road (File ZC0615) as set out in Report 08-72 from Community Design and Development Services dated July 7, 2008.

VOTING IN FAVOUR: Councillors Beard, Bell, Farrelly, Hofland, Kovach and Laidlaw, (6)

VOTING AGAINST: Councillors Billings, Burcher, Findlay, Piper, Salisbury, Wettstein and Mayor Farbridge (7)

Defeated

Mr. S. Chugh  
Mr. J. Riddell  
Ms. L.E. Payne

8. Moved by Councillor Piper  
Seconded by Councillor Salisbury  
THAT Report 08-72 regarding a Zoning By-law Amendment for the property municipally known as 168 Fife Road from Community Design and Development Services dated July 7, 2008, be received;

AND THAT the application by Everest Homes for a Zoning By-law amendment from the UR (Urban Reserve) Zone to the R.2 (Residential Semi-Detached/Duplex) Zone and a new Specialized R.3A (Residential Cluster Townhouse) Zone affecting the property municipally known as 168 Fife Road and legally described as Part of Lot B, Concession 2, Division E in the City of Guelph, be approved, in accordance with the regulations and conditions, as amended to reflect a maximum density of 12 residential dwellings and 2 semi-detached dwellings, for a total of 16 residential units, as set out in Schedule 2 of the Community Design and Development Services Report 08-72 dated July 7, 2008;

AND THAT the request by Everest Homes to demolish the detached dwelling located on the property municipally known as 168 Fife Road be approved;

AND THAT City Council directs the Director of Community Design and Development Services to advise property owners directly adjacent to the site in writing when a formal application for site plan approval has been filed with the City to allow residents the opportunity to view the plans and make suggestions, if necessary, for the consideration of the Director of Community Design and Development Services prior to granting site plan 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 168 Fife Road (File ZC0615) as set out in Report 08-72 from Community Design and Development Services dated July 7, 2008.

VOTING IN FAVOUR: Councillors Beard, Bell, Farrelly, Hofland, Kovach, Laidlaw, Piper and Salisbury, (8)

VOTING AGAINST: Councillors Billings, Burcher Findlay, Wettstein and Mayor Farbridge (5)

Carried

**BY-LAWS**

9 Moved by Councillor Salisbury  
Seconded by Councillor Hofland  
THAT leave be now granted to introduce and read a first and second time By-law Number (2008)-18584.

Carried

The By-law was read a first and second time at 12:23 o'clock a.m., Tuesday July 8, 2008.

Council went into Committee of the Whole on By-law Number (2008)-18584.

Mayor Farbridge in the Chair.

At 12:23 o'clock p.m., the Committee rose and reported By-law Number (2008)-18584 passed in Committee without amendment.

10. Moved by Councillor Wettstein  
Seconded by Councillor Burcher  
THAT By-law Number (2008)-18 584 be read a third time and passed.

Carried

The By-law was read a third time and passed at 12:24 o'clock a.m., Tuesday July 8, 2008.

**ADJOURNMENT**

The meeting adjourned at 12:25 o'clock a.m., Tuesday July 8, 2008.

Minutes read and confirmed July 28, 2008.

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Mayor

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Clerk