



**Minutes of Guelph City Council
Held in the Council Chambers, Guelph City Hall on
Monday, September 9, 2013 at 5:30 p.m.**

Attendance

Members: Mayor Farbridge
Councillor Bell
Councillor Burcher
Councillor Dennis
Councillor Findlay
Councillor Furfaro
Councillor Guthrie
Councillor Piper
Councillor Van Hellemond
Councillor Wettstein

Absent: Councillor Hofland
Councillor Kovach
Councillor Laidlaw

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. A. Horsman, Executive Director of Finance & Enterprise/City Treasurer
Ms. D. Jaques, General Manager Legal and Realty Services/City Solicitor
Mr. D. Mast, Associate Solicitor
Ms. S. Kirkwood, Manager Development Planning
Ms. T. Agnello, Deputy 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 Piper
Seconded by Councillor Findlay

That the Council of the City of Guelph now hold a meeting that is closed to the public, pursuant to Section 239 (2) (b) and (e) of the *Municipal Act* with respect to personal matters about an identifiable individual 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.2013.18 7 Crawford Street – Upcoming Ontario Municipal Board Hearing (A-35/12) – Ward 5

C.2013.19 28 Rodgers Road – Upcoming Ontario Municipal Board Hearing (A-48/13) – Ward 6

C.2013.20 Personal Matters About an Identifiable Individual

Councillor Kovach left the meeting at 6:35 p.m.

Rise from Closed Meeting (6:50 p.m.)

Council recessed.

Open Meeting (7:00 p.m.)

Mayor Farbridge called the meeting to order.

Disclosure of Pecuniary Interest and General Nature Thereof

There were no disclosures.

Report of the Integrity Commissioner

The report of the Integrity Commissioner was extracted.

Consent Agenda

The following items were extracted:

CON-2013.20 132 Clair Road West – Proposed Zoning By-law Amendment (File: OP0605/ZC0619) – Ward 6

CON-2013.21 185-187 Bristol Street – Proposed Zoning By-law Amendment (File: ZC1216) – Ward 5

CON-2013.22 Proposed Demolition of 76 Water Street – Ward 5

CON-2013.24 Proposed Demolition of 33 College Avenue West – Ward 5

CON-2013.25 Guelph Community Sports Lease and Agreement

1. Moved by Councillor Findlay
Seconded by Councillor Dennis

That balance of the September 9, 2013 Consent Agenda as identified below, be adopted:

CON-2013.23 Proposed Demolition of 78 Emma Street – Ward 2

1. That Report 13-49 regarding the proposed demolition of a detached dwelling at 78 Emma Street, legally described as Part of Lots 46 & 47, Plan 221, City of Guelph, from Planning, Building, Engineering and Environment dated September 9, 2013, be received.
2. That the proposed demolition of the detached dwelling at 78 Emma Street be approved.

3. That the applicant be requested to erect protective fencing at one (1) metre from the dripline of any existing trees on the property or on adjacent properties which can be preserved prior to commencement of demolition and maintain fencing during demolition and construction of the new dwelling.
4. That the applicant be requested to contact the General Manager of Solid Waste Resources, within Planning, Building, Engineering and Environment regarding options for the salvage or recycling of all demolition materials.

VOTING IN FAVOUR: Mayor Farbridge, Councillors Bell, Burcher, Dennis, Findlay, Furfaro, Guthrie, Piper, Van Hellemond and Wettstein (10)

VOTING AGAINST: (0)

CARRIED

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 matter listed on the agenda.

150-152 Wellington Street East – Proposed Zoning By-law Amendment (File ZC1308) – Ward 1

Mr. Chris DeVriendt, Senior Development Planner summarized the application as outlined in the report.

Mr. Michael Hannay, architect and Ms. Walkey, on behalf of the proponent, provided a presentation on their proposal of an 18 storey, mixed-use condominium building including ground floor commercial, structured parking and 165 residential units. Changes from the original proposal were highlighted and an overview of setbacks, separation distances, traffic flow, parking, waste management, grading, pedestrian access, site plan, landscaping and building design.

Mr. Bill Hulet, a resident on behalf of various neighbours, raised concerns regarding the massing of a large building within the heritage district, traffic flow, pedestrian traffic, parking and effects on the local lifestyle and requested a traffic study.

Mr. Marty Williams, Executive Director, Downtown Guelph Business Association (DGBA), was present to support the application.

Council discussion ensued regarding the sequencing of downtown development, a lifestyle study, lighting, car share parking, landscape maintenance and deterring graffiti, shadow studies, preserving artifacts, antennas and satellite dish placement, conformity to the Downtown Secondary Plan. Questions arose regarding traffic, waste management, building and urban design, the district energy plan, and pedestrian traffic, connectivity and safety. There was interest in having a 3D rendering of the site and the surroundings scaled to a pedestrian vantage point.

2. Moved by Councillor Findlay
Seconded by Councillor Wettstein

That Report 13-48 regarding a Zoning By-law Amendment application by Stantec Consulting Ltd. on behalf of The Tricar Group, to permit the development of an 18-storey mixed use building for the property municipally known as 150-152 Wellington Street East, and legally described as Pt Grist Mill Lands, Plan 8, Pt 2, 61R1309, Pt School Lot, Plan 8, Pt Surrey Street, Plan 379, PT 3, 61R1309, closed by ROS178965; Pt Lot 5, Plan 269, City of Guelph, from Planning, Building, Engineering and Environment dated September 9, 2013, be received.

VOTING IN FAVOUR: Mayor Farbridge, Councillors Bell, Burcher, Dennis, Findlay, Furfaro, Guthrie, Piper, Van Hellemond and Wettstein (10)

VOTING AGAINST: (0)

CARRIED

Report of the Integrity Commissioner

Mr. Swayze, Integrity Commissioner reviewed the process of the investigation.

3. Moved by Councillor Guthrie
Seconded by Councillor Furfaro

That Council receive the report of the Integrity Commissioner dated September 9, 2013 advising that the Complainants have accepted apologies from Councillor Laidlaw and withdrawn their Complaints.

VOTING IN FAVOUR: Mayor Farbridge, Councillors Bell, Burcher, Dennis, Findlay, Furfaro, Guthrie, Piper, Van Hellemond and Wettstein (10)

VOTING AGAINST: (0)

CARRIED

Extracted Consent Items

CON-2013.20 132 Clair Road West – Proposed Zoning By-law Amendment (File: OP0605/ZC0619) – Ward 6

Ms. Astrid Clos, on behalf of the applicant, addressed issues including truck traffic, landscaping and screening, front door location, parking, property access and grading issues as a limitation to the location on the truck loading zone. She proposed it is more appropriate to deal with the location of the loading area through site plan approval process and not a minor variance application.

Main Motion

4. Moved by Councillor Piper
Seconded by Councillor Burcher
1. That Report 13-14 regarding a proposed Zoning By-law Amendment application by Sobey's Capital Incorporated and Sobey's Development Limited Partnership c/o Fieldgate (File #OP0605/ZC0619) applying to property legally described as Part Lot 11, Concession 7, formerly Puslinch Township, designated as Parts 1 to 4 inclusive, 61R11438, municipally known as 1839 Gordon Street (formerly 132 Clair Road West), City of Guelph, from Planning, Building, Engineering and Environment dated September 9, 2013, be received.

2. That the application by Sobeys Capital Incorporated and Sobeys Development Limited Partnership c/o Fieldgate requesting approval of a Zoning By-law Amendment to rezone lands legally described as Part Lot 11, Concession 7, formerly Puslinch Township, designated as Parts 1 to 4 inclusive, 61R11438, municipally known as 1839 Gordon Street (formerly 132 Clair Road West), City of Guelph, from the UR (Urban Reserve) Zone and the A (Agricultural) Zone as described in the Puslinch Township Zoning Bylaw, to a Specialized CC (H) (Community Commercial) Zone including Holding Provisions, to allow the development of the subject property for a mixed use development, be approved in accordance with the zoning conditions and Staff Concept Plan highlighted in Attachment 2 of the Planning, Building, Engineering and Environment Report 13-14 dated September 9, 2013, attached hereto as Schedule 1.
3. That the request to demolish the single-detached residential dwelling known as 1827 Gordon Street, to allow the development of the subject lands for a mixed use development, be approved.
4. 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 132 Clair Road West, City of Guelph, as outlined in Report 13-14 from Planning, Building, Engineering and Environment dated September 9, 2013.

First Amendment

5. Moved by Councillor Piper
Seconded by Councillor Burcher

That the word "active" be added into condition 2a of the zoning conditions with respect to use of doorways in Block B & C fronting to arterial roads.

VOTING IN FAVOUR: Councillors Bell, Burcher, Dennis, Findlay, Furfaro, Piper, Van Hellemond, and Mayor Farbridge (8)

VOTING AGAINST: Councillors Guthrie and Wettstein (2)

CARRIED

Second Amendment

6. Moved by Councillor Piper
Seconded by Councillor Burcher

That the condition requiring a 30 metre setback for the loading dock on Gosling Gardens be referred to the Site Plan process for Retail A and B.

VOTING IN FAVOUR: Councillors Bell, Dennis, Findlay, Furfaro, Guthrie, Piper, Van Hellemond and Wettstein (8)

VOTING AGAINST: Councillor Burcher and Mayor Farbridge (2)

CARRIED

Main Motion as Amended

7. Moved by Councillor Piper
Seconded by Councillor Burcher

1. That Report 13-14 regarding a proposed Zoning By-law Amendment application by Sobeys Capital Incorporated and Sobeys Development Limited Partnership c/o Fieldgate (File #OP0605/ZC0619) applying to property legally described as Part Lot 11, Concession 7, formerly Puslinch Township, designated as Parts 1 to 4 inclusive, 61R11438, municipally known as 1839 Gordon Street (formerly 132 Clair Road West), City of Guelph, from Planning, Building, Engineering and Environment dated September 9, 2013, be received.
2. That the application by Sobeys Capital Incorporated and Sobeys Development Limited Partnership c/o Fieldgate requesting approval of a Zoning By-law Amendment to rezone lands legally described as Part Lot 11, Concession 7, formerly Puslinch Township, designated as Parts 1 to 4 inclusive, 61R11438, municipally known as 1839 Gordon Street (formerly 132 Clair Road West), City of Guelph, from the UR (Urban Reserve) Zone and the A (Agricultural) Zone as described in the Puslinch Township Zoning Bylaw, to a Specialized CC (H) (Community Commercial) Zone including Holding Provisions, to allow the development of the subject property for a mixed use development, be approved in accordance with the zoning conditions and Staff Concept Plan as attached hereto as Schedule 1.
3. That the request to demolish the single-detached residential dwelling known as 1827 Gordon Street, to allow the development of the subject lands for a mixed use development, be approved.
4. 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 132 Clair Road West, City of Guelph, as outlined in Report 13-14 from Planning, Building, Engineering and Environment dated September 9, 2013.
5. **That the word "active" be added into condition 2a of the zoning conditions with respect to use of doorways in Block B & C fronting to arterial roads.**
6. **That the condition requiring a 30 metre setback for the loading dock on Gosling Gardens be referred to the Site Plan process for Retail A and B.**

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

VOTING AGAINST: Councillor Burcher (1)

CARRIED

**185-187 Bristol Street – Proposed Zoning By-law Amendment (File: ZC1216)
– Ward 5**

Mr. Baker, abutting neighbour to the property, requested staff to ensure the retaining rock wall between his property and this one is secured and safe.

Ms. Rosemary Coombs, on behalf of the proponent, noted that parking and other issues raised by neighbours have been resolved, the easement is not an issue and the City has inspected the rock wall and a plan is in place to ensure the wall will not be disrupted.

8. Moved by Councillor Burcher
Seconded by Councillor Guthrie

1. That the application by James Fryett Architect Inc. on behalf of Michael House Pregnancy Care Centre for approval of a Zoning By-law Amendment from the R.1B (Residential Single Detached) Zone to a R.4D-? (Specialized Infill Apartment) Zone to permit an affordable housing project consisting of 9 supportive residential units at the property municipally known as 185-187 Bristol Street and legally described as Lot 18, Part Lot 19, Registered Plan 42, City of Guelph, be approved in accordance with the zoning regulations and conditions as outlined hereto as Schedule 2.
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 185-187 Bristol Street.

VOTING IN FAVOUR: Mayor Farbridge, Councillors Bell, Burcher, Dennis, Findlay, Furfaro, Guthrie, Piper, Van Hellemond and Wettstein (10)

VOTING AGAINST: (0)

CARRIED

Proposed Demolition of 76 Water Street – Ward 5

Discussion ensued regarding the height limit for storeys and design criteria for properties within a Heritage District.

Staff advised that Heritage Guelph have provided the design recommendations and have the support of staff and that the heritage designation may include design criteria that may be prescriptive in nature.

9. Moved by Councillor Findlay
Seconded by Councillor Guthrie

1. That Report 13-53 regarding the proposed demolition of a detached dwelling at 76 Water Street, legally described as Lot 31, Plan 37, Save & Except Parts 1 & 2, 61R-3508; Part Lot 32, Plan 37, as in ROS5033040, City of Guelph, from Planning, Building, Engineering and Environment dated September 9, 2013, be received.
2. That the proposed demolition of the detached dwelling at 76 Water Street be approved.
3. That the applicant be requested to erect protective fencing at one (1) metre from the dripline of any existing trees on the property or on adjacent properties which can be preserved prior to commencement of demolition and maintain fencing during demolition and construction of the new dwelling.
4. That the applicant be requested to contact the General Manager of Solid Waste Resources, within Planning, Building, Engineering and Environment regarding options for the salvage or recycling of all demolition materials.

VOTING IN FAVOUR: Mayor Farbridge, Councillors Bell, Burcher, Dennis, Findlay, Furfaro, Guthrie, Van Hellemond and Wettstein (9)
VOTING AGAINST: Councillor Piper (1)

CARRIED

Proposed Demolition of 33 College Avenue West- Ward 5

10. Moved by Councillor Findlay
Seconded by Councillor Dennis
 1. That Report 13-50 regarding the proposed demolition of a detached dwelling at 33 College Avenue West, legally described as Part of Lots 5 & 6, Plan 283 and Part of Lot 3, Plan 384, City of Guelph, from Planning, Building, Engineering and Environment dated September 9, 2013, be received.
 2. That the proposed demolition of the detached dwelling at 33 College Avenue West be approved.
 3. That the applicant be requested to erect protective fencing at one (1) metre from the dripline of any existing trees on the property or on adjacent properties which can be preserved prior to commencement of demolition and maintain fencing during demolition and construction of the new dwelling.
 4. That the applicant be requested to contact the General Manager of Solid Waste Resources, within Planning, Building, Engineering and Environment regarding options for the salvage or recycling of all demolition materials.
 5. That the applicant be requested to design the replacement dwelling in keeping with Heritage Guelph's recommendations, as set out in Report 13-50.

VOTING IN FAVOUR: Mayor Farbridge, Councillors Bell, Burcher, Dennis, Findlay, Furfaro, Guthrie, Piper, Van Hellemond and Wettstein (10)
VOTING AGAINST: (0)

CARRIED

Guelph Community Sports Lease and Agreement

Discussion ensued regarding financial risk, the status of the lease and agreement, and the relationship between the parties.

11. Moved by Councillor Wettstein
Seconded by Councillor Burcher
 1. That Council endorse staff's recommendation and approve a five year extension of the current bank loan term and amortization period until 2023 with the following additional conditions:
 - a) Guelph Soccer Club Incorporated (Guelph Soccer) is added to the existing bank loan agreement as an additional party responsible for payment;
 - b) Guelph Community Sports submits a Business Plan to Council demonstrating the financial and operational viability of the facility until 2023 including addressing the funding for future capital requirements for the facility;

- c) Guelph Community Sports submits an annual report to Council by June of every year until 2023 on whether and how its performance is fulfilling the Business Plan;
- d) Guelph Soccer signs a 10 year field rental agreement with Guelph Community Sports;
- e) The Board of Directors of Guelph Community Sports holds regular meetings, with the City Staff non-voting representative present; and
- f) The three parties decide in 2018 whether to replace the turf and decide in 2023 whether to replace the dome, and begin their deliberations two years in advance of each of those decision points.

- 2. The CAO is authorized to enter into and execute an agreement amending the existing agreement to include the terms set out above, the form and content of which is to be approved by the City Solicitor.

VOTING IN FAVOUR: Mayor Farbridge, Councillors Bell, Burcher, Dennis, Findlay, Furfaro, Guthrie, Piper, Van Hellemond and Wettstein (10)

VOTING AGAINST: (0)

CARRIED

By-laws

- 12. Moved by Councillor Van Hellemond
Seconded by Councillor Dennis

That By-laws Numbered (2013)-19625 to (2013)-19628, inclusive, are hereby passed.

CARRIED

Mayor's Announcements

The Mayor announced that Councillors Bell and Furfaro will be hosting a Ward One Town Hall meeting on Thursday, September 26th at 7:00 p.m. at the Italian Canadian Club at 135 Ferguson Street.

Notice of Motion

Councillor Guthrie advised that he will be bringing forward a notice of motion to a subsequent meeting of Council in relation to the Integrity Commissioner.

Adjournment (10:21 p.m.)

- 13. Moved by Councillor Findlay
Seconded by Councillor Van Hellemond

That the meeting be adjourned.

CARRIED

Minutes to be confirmed on September 30, 2013.

Mayor Farbridge

Deputy Clerk

Recommended Zoning, Conditions & Staff Concept Plan

The property affected by the Zoning By-law Amendment application (File ZC0619) include lands legally described as Part Lot 11, Concession 7, formerly Puslinch Township, designated as Parts 1 to 4 inclusive, 61R11438, municipally known as 1839 Gordon Street (formerly 132 Clair Road West), City of Guelph.

Recommended Zoning

Specialized CC-? (H) Zone - (Community Shopping Centre - Holding) Zone including Holding provisions.

CC- ? (H)

1839 Gordon Street

As shown on Defined Area Map Number 30 of Schedule "A" of the By-law.

Permitted Uses

In accordance with all permitted uses outlined in Section 6.2.1.2 of the Bylaw (See Attachment 6), with the following additions:

- All Institutional Uses outlined in Section 8.1.1 of the Bylaw.
- Apartment Building in accordance with Section 5.4.2 of the Bylaw.
- Hotel
- Live/Work Uses

Regulations

In accordance with all regulations outlined in Section 6.2.2 of the Bylaw, with the following exceptions and additions:

Maximum Front and Exterior Side Yard (Build-to-Line)

Despite Table 6.2.2, Row 5, all Buildings located on Gordon Street, Clair Road and Gosling Gardens shall have a maximum setback of 3.0 metres from the public road allowance with the exception of the largest building in this zone.

Maximum and Minimum Building Height

In addition to the maximum Building Height provisions of Table 6.2.2, Row 8, any Building proposed within 40 metres of the corner intersection of Gordon Street and Clair Road shall have the appearance of two (2) Storey Buildings and shall have a minimum height of 8.5 metres.

The maximum height for an apartment building shall be 10 storeys.

Off-street Parking

Despite Section 4.13.4.1 of the By-law, the minimum off-street parking required shall be 1 space per 23 square metres of Gross Floor Area.

Prohibited Location for Uses

Any Vehicle Gas Bars and drive-through facilities shall be prohibited from locating within 50 metres of any corner or corner intersection of this Zone.

Any loading area or loading activity associated with the largest building in this zone shall be prohibited from locating within 30 metres of Gosling Gardens and Gordon Street.

Severability Provision

The provisions of this By-law shall continue to apply collectively to the whole of the subject lands in this zone, despite any future severance, partition or division for any purpose.

Holding Provision

Purpose: To ensure that development of the lands do not proceed until the owner has completed certain conditions to the satisfaction of the City with regard to the development of the site.

Holding Provision Condition

Prior to the removal of the Holding designation "H", the owner shall:

1. Obtain written confirmation from the City Engineer that both the extensions of Gosling Gardens and Poppy Drive have been constructed to a standard that is satisfactory to the City Engineer and adequate water and sanitary service capacity is available to service the development of the subject lands for a mixed-use commercial development.

Conditions

1. The developer 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 on the said lands to the satisfaction of the General Manager of Planning Services and the General Manager of Engineering Services/City Engineer, prior to Site Plan approval, and furthermore the Developer agrees to develop the said lands in accordance with the approved plan.
2. The developer shall commit to and agree that the details of the site layout, elevations and design for development of the subject lands shall be in general accordance and conformity with the developer's **Site Concept Plan** included in Attachment 8 of the Planning, Building, Engineering and Environment Report 13-14 dated September 9, 2013 (Site Plan, prepared by Turner Flescher, Project No. 05.224 A1-71, dated April 22, 2013), as amended by staff to include revisions highlighted in Attachment 2 of the same Report 13-14, dated September 9, 2013, to include:
 - a) Corner buildings such as Retail C2, Retail B3 and Retail B2, need to be directly connected to the street edge and have doorways facing the street and connect to the public sidewalk in accordance in policy 7.4.40.2;
 - b) The intersection of the north-south internal drive with Poppy Drive will be off-set with the intersection to the townhouses to the south.
 - c) The drive-through and loading area for Retail B will be further reviewed through the site plan process.
 - d) The loading area for Retail A to be moved away from Gosling Gardens.
3. The developer shall commit to and agree that the subject site layout near the corner of Clair Road and Gordon Street adjacent to property at **1819 Gordon Street**, shall be designed to not preclude the opportunity for a potential two-way vehicular access over the subject property to the lands at 1819 Gordon Street, should an owner of 1819 Gordon Street seek alternative access over the subject lands, and submit application for redevelopment approval in the future.
4. Prior to the decommissioning of the water well on the subject site that presently services the lands at **1819 Gordon Street**, the developer shall provide, on an easement created in favour of the City, water and sanitary connections from the subject lands to the property line of the residential property at 1819 Gordon Street, to the satisfaction of the City Engineer.

5. Prior to the issuance of site plan approval, the developer shall provide the City with written confirmation that the buildings on the subject lands 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 9 of the Planning, Building, Engineering and Environment Report 13-14 dated September 9, 2013.
6. The developer 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 prior to issuance of a building permit, at the rate in effect at the time of issuance of the building permit.
7. Prior to site plan approval, the developer shall pay to the City **cash-in-lieu of park land dedication** in accordance with By-law (1989)-13410, as amended by By-law (1990)-13545, or any successor thereof, to the satisfaction of the Manager of Parks Planning.
8. The developer shall provide additional **tree assessment** information to address the Environmental Planner's memo dated February 23, 2011 (Attachment 12) to the satisfaction of the Environmental Planner and Manager of Development Planning, prior to site plan approval.
9. Prior to site plan approval, the developer shall have a Professional Engineer design a **grading plan and stormwater management** system, satisfactory to the City Engineer.
10. Prior to site plan approval, the developer shall update and finalize as required by the City, any or all of the following **studies, plans and reports** to the satisfaction of the General Manager/City Engineer:
 - a) a traffic impact and operations report covering all aspects of access and egress to the site and the effect of the development on the surrounding roads including recommendations with detailed cost estimates of the works recommended on the municipal roadways;
 - b) a geotechnical report certified by a Professional Engineer that analysis the permeability and hydraulic conductivity of the soils and recommends measures to ensure that they are not diminished by the construction and development;
 - c) 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. The report must also address the requirement for adequate sanitary capacity in the Clairfields subdivision sanitary system to receive sanitary flows from the subject development;
 - d) 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.

11. The developer shall, to the satisfaction of the City Engineer, address and be responsible for adhering to all the **recommended measures** contained in the plans, studies and reports outlined in subsections 10a to 10d inclusive.
12. The developer shall grade, develop and maintain 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 General Manager/City Engineer. Furthermore, the developer 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.
13. The developer 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.
14. The developer agrees that the development will keep grades below 344m (above mean sea level) and that fire protection will be provided by private onsite hydrants in accordance with the Ontario Building Code and NFPA requirements. If **water pressure** is insufficient to accommodate sprinkler requirements, fire protection booster pumps will be installed in buildings as required.
15. The developer is responsible for the total **cost of the design and construction** of all onsite roads, services and service lateral connections and the frontage charges for existing municipal services on Gordon Street and Clair Road as determined by the General Manager/City Engineer. The developer acknowledges that the construction of the Gosling Gardens, Poppy Drive, underground services and their respective signalized intersections on Clair Road and Gordon Street are required for the development of the subject property and must be completed as part of the residential subdivision to the south located at 1897 Gordon Street.
16. The developer 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.
17. That all electrical services to the lands are underground and the developer 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 site plan approval.
18. The developer 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.
19. Prior to the issuance of a building permit, any unused **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 developer shall submit a Well Record to the satisfaction of the General Manager/City Engineer.
20. Prior to the issuance of site plan approval for the lands, the developer shall pay to the City, the City's total cost of reproduction and distribution of the **Guelph Residents' Environmental Handbook**, to all future tenants/businesses within the project, with such payment based on a cost of one handbook per tenant/business, as determined by the City.

21. That prior to site plan approval, the developer shall enter into a **site plan control agreement** with the City, registered on title, satisfactory to the City Solicitor, the General Manager of Planning Services and the City Engineer, covering the conditions noted above and to develop the site in accordance with the approved plans and reports.

Recommended Zoning Regulations and Conditions

The property affected by the Zoning By-law Amendment application is municipally known as 185-187 Bristol Street and is legally described as Lot 18, Part Lot 19, Registered Plan 42, City of Guelph.

PROPOSED ZONING

The following zoning is proposed for 185-187 Bristol Street:

Specialized R.4D-? Apartment Infill Zone

Permitted Use

- Supportive Housing
- Accessory Uses in accordance with Section 4.23.

For the purposes of this Zone, *Supportive Housing* shall mean the use of a building with dwelling units to provide services and supports on-site that are designed to assist residents who need specific support services while allowing them to maintain a level of independence. Support services may include, but are not limited to, collective dining facilities, laundry facilities, counselling, educational services and life skills training.

Regulations

In accordance with Section 4 (General Provisions), Section 5.4.3 and Table 5.4.2 (Infill Apartment Zone Regulations) of Zoning By-law (1995)-14864, as amended, with the following additions and exceptions:

Maximum Number of Dwelling Units

9

Minimum Side Yard

Notwithstanding the provisions of Table 5.4.2, Row 8, the minimum easterly side yard shall be 2.5 metres.

Off-Street Parking

A minimum of 7 parking spaces shall be provided

Parking Space Dimensions

Notwithstanding the provisions of Section 4.13.3.2.3, the minimum exterior parking space dimensions shall be 2.5 metres by 5.5 metres for a maximum of 6 parking spaces.

PROPOSED CONDITIONS

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

1. That 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 Developer 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 September 9, 2013 Planning, Building, Engineering and Environment Report Number 13-42.

- b) Further, the Owner commits and agrees that the detailed site plan shall recognize and respect the easement on the subject lands in favour of the Owner of Part Lot 22, Plan 42 (180 Waterloo Avenue) that is in effect, as per the terms of the easement agreement registered on title of 180 Waterloo Avenue.
2. That the Owner shall provide to the City, to the satisfaction of the City Engineer, any of the following studies, plans and reports that may be requested by the City Engineer:
- a) Site 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 discharge from the site;
 - b) A grading and drainage plan prepared by a Professional Engineer for the site;
 - c) A detailed erosion and sediment control plan, certified by a Professional Engineer that indicates the means whereby erosion will be minimized and sediment maintained on-site throughout grading and construction.
3. The Owner shall, to the satisfaction of the City Engineer, address and be responsible for adhering to all the recommended measures contained in the plans, studies and reports outlined in subsection 2. a) to c) inclusive.
4. The Owner shall locate the position of the existing sanitary sewer serving the right side of the existing house and be responsible for the entire cost of removing the existing sanitary sewer lateral from the said lands, satisfactory to the Plumbing Inspector, prior to site plan approval.
5. The Owner shall locate the position of the existing water lateral serving the existing cottage and be responsible for the entire cost of removing the existing water lateral from the point where the existing water lateral connects to the cottage at 185 Bristol Street, satisfactory to the Plumbing Inspector, prior to site plan approval.
6. The Owner shall pay the actual cost of constructing and installing sanitary and water service laterals required including any curb cuts and/or curb fills and furthermore, prior to any construction or grading on the lands, the Owner shall pay to the City the estimate cost of the service laterals, as determined by the City Engineer.
7. 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 General Manager/City Engineer. Furthermore, the Developer 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. 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.

9. That prior to the issuance of site plan approval, the Owner shall pay to the City cash-in-lieu of parkland dedication in accordance with By-law (1989)-13410, as amended from time to time, or any successor thereof.
10. The Owner shall enter into a Storm Sewer Agreement, as established by the City, providing a grading and drainage plan, registered on title, prior to any construction or grading on the lands.
11. The Owner shall pay to the City the actual cost of the construction of the new driveway entrance and the required curb cut and/or fill and furthermore, prior to site plan approval and prior to any construction or grading on the lands, the Owner shall pay to the City the estimated cost of the new driveway entrance and the required curb cut and/or curb fill, as determined by the City Engineer.
12. The Owner shall construct the new building at such an elevation that the lowest level of the new dwelling can be serviced with a gravity connection to the sanitary sewer.
13. A sump pump will be required for the lot unless a gravity outlet for the foundation drain can be provided on the lot in accordance with a design by a Professional Engineer. Furthermore, sump pumps must be discharged to the rear yard.
14. Prior to site plan approval, the Owner agrees to take any necessary measures within the limits of the subject property to remove or secure any rock pieces or debris at the top of the rock outcrop at the rear of the subject site and within its final exposed face to eliminate any potential hazards to the satisfaction of the General Manager of Planning Services.
15. The Owner agrees to construct a solid screen privacy fence along the easterly property line to the satisfaction of the General Manager of Planning Services.
16. 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 site plan approval.
17. 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 site plan approval.
18. 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.

19. The Owner shall ensure that the height of any new proposed retaining wall that abuts existing residential properties does not exceed 1.0 metres.
20. The Owner shall complete all requirements of the Grand River Conservation Authority (GRCA) contained in Attachment 9 of the Planning, Building, Engineering and Environment Report 13-42 dated September 9, 2013 to the satisfaction of the General Manager of Planning Services and the City Engineer.
21. 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 8 to Report 13-42 from Planning, Building, Engineering and Environment dated September 9, 2013.
22. 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.