

Council Committee Room B  
October 6, 2008 7:00 p.m.

**A meeting of Guelph City Council.**

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 & Development Services; Mr. S. Hannah, Manager of Development and Parks Planning; Ms. K. Nasswetter, Senior Development Planner; Ms. T. Agnello, Deputy City 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 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 the property from the specialized Agriculture Zone to a R.4A zone to permit a "nursing home". On a 0.24 hectare portion of the site fronting on Goodwin Drive to a R.1D (Single-Detached Residential) Zone to create eight lots for single-detached houses.

Mr. Peter Cheatley, on behalf of Extendicare advised the public will be quite welcome to walk through the property and the sidewalk will be extended to meet up with any City sidewalk.

Mr. Santiago Kunzle, representing Montgomery Sisam Architects, provided information regarding changes being made to minimize the footprint of the building and urbanizing the building façade.

2. Moved by Councillor Findlay  
Seconded by Councillor Salisbury

THAT Report 08-100 dated October 6, 2008 regarding an application for a Zoning By-law Amendment for 410 Clair Road East from Community Design and Development Services be received;

AND THAT the application by Extendicare Canada Inc. for a Zoning By-law Amendment (File ZC0804) from the A Zone to a specialized R.4A and R.1D zone affecting properties municipally known as 410 Clair Road East and legally described as part of Lot 10, Concession 8, Township of Puslinch and Block 175, Plan 61M-143, City of Guelph be approved in accordance with the regulations hereto attached as Schedule A;

AND THAT the future request to demolish the existing detached dwelling and related accessory buildings at 410 Clair Road East, to accommodate the redevelopment contemplated by application ZC0804, be approved.

- 2. Moved in amendment by Councillor Billings  
Seconded by Councillor Kovach

THAT the building façade be made more residential in nature and the tree caliper be increased to 80 mm in size.

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

VOTING AGAINST: (0)

Carried

- 3. Moved by Councillor Findlay  
Seconded by Councillor Kovach

Extendicare Canada Inc.  
Mr. J. Riddell  
Ms. L.E. Payne  
Ms. M. Neubauer  
Mr. D. McCaughan

THAT Report 08-100 dated October 6, 2008 regarding an application for a Zoning By-law Amendment for 410 Clair Road East from Community Design and Development Services be received;

AND THAT the application by Extendicare Canada Inc. for a Zoning By-law Amendment (File ZC0804) from the A Zone to a specialized R.4A and R.1D zone affecting properties municipally known as 410 Clair Road East and legally described as part of Lot 10, Concession 8, Township of Puslinch and Block 175, Plan 61M-143, City of Guelph be approved in accordance with the regulations set out in attached Schedule A;

AND THAT the future request to demolish the existing detached dwelling and related accessory buildings at 410

Clair Road East, to accommodate the redevelopment contemplated by application ZC0804, be approved;

AND THAT the developer be required to pay future costs of the installation of the municipal sidewalk;

AND THAT the building façade be made more residential in nature and the tree caliper be increased to 80 mm in size.

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

VOTING AGAINST: (0)

Carried

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Mayor

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Deputy Clerk

Council Committee Room B  
October 6, 2008 7:29 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; Ms. T. Sinclair, Manager of Legal Services; Mr. J. Riddell, Director of Community Design & Development Services; Mr. S. Hannah, Manager of Development and Parks Planning; Ms. T. Agnello, Deputy City Clerk; and Ms. D. Black, Assistant Council Committee Co-ordinator

- 1. Moved by Councillor Farrelly  
Seconded by Councillor Beard

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

- litigation or potential litigation
- advice that is subject to solicitor-client privilege.

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Mayor

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Deputy Clerk

**Council reconvened in Committee of the Whole.**

Mr. Peter Pickfield provided information regarding a matter of litigation or potential litigation and provided advice that is subject to solicitor-client privilege.

Mr. Scott Hannah, Manager of Development and Parks Planning and Mr. Jim Riddell, Director of Community Design and Development Services provided information regarding a matter of litigation or potential litigation.

**ADJOURNMENT**

The meeting adjourned at 8:27 p.m.

Minutes read and confirmed October 27, 2008.

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Mayor

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Deputy Clerk

## **Proposed Zoning By-law Amendment Regulations and Conditions**

The properties affected by this Zoning By-law Amendment are municipally known as 410 Clair Road East and legally described as Part of Lot 10, Concession 8, Township of Puslinch and Block 175, Plan 61M-143, City of Guelph.

The following zoning is proposed:

### **Specialized R.4A-? (Residential Apartment) Zone**

### **R.1D (Residential Single-detached) Zone**

## **Regulations**

### **For the Specialized R.4A Zone**

#### **Permitted Uses**

In accordance with the provisions of Section 5.4.1.1 of Zoning By-law (1995) – 14864, as amended.

#### **Regulations**

In accordance with Section 5.4.2 of Zoning By-law (1995) – 14864, as amended, with the following exceptions:

Table 5.4.2 Row 5

#### **Maximum Density (units/ha)**

A maximum density of 192 beds shall be permitted.

A minimum density of 160 beds shall be permitted.

Table 5.4.2 Row 10

#### **Maximum Building Height**

A maximum building height of 3 storeys is permitted.

Table 5.4.2 Row 12

Minimum Common Amenity Area

A minimum of 3500 square metres of common amenity area will be provided.

Table 5.4.2 Row 16

Accessory Buildings or Structures

The maximum height of the Garbage storage structure is 5.5 metres.

**For the R.1D Zone:**

**Permitted Uses**

In accordance with the provisions of Section 5.1.1 of Zoning By-law (1995) – 14864, as amended.

**Regulations**

In accordance with Section 5.1.2 of Zoning By-law (1995) – 14864, as amended.

**Conditions**

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

1. The Owner shall submit to the City, in accordance with Section 41 of The Planning Act, a fully detailed site plan, indicating the location of buildings, landscaping, parking, circulation, access, lighting, 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.
2. That prior to site plan approval the developer agrees to modify the building façade to ensure it is more residential in nature.
3. Prior to site plan approval and prior to any construction or grading on the lands, the developer shall submit a detailed Storm water Management Report and plans to the satisfaction of the City Engineer which demonstrates how storm water will be controlled and conveyed.

4. That 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 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.
5. Prior to site plan approval and prior to any construction or grading on the lands, the developer 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.
6. The developer shall pay to the City the actual cost of constructing and installing any service laterals required and furthermore, prior to site plan approval, the developer shall pay to the City the estimated cost of the service laterals, as determined by the City Engineer.
7. The developer shall pay to the City the actual cost of constructing and installing the storm sewer required to service the property from Goodwin Drive and furthermore, prior to site plan approval and prior to any construction or grading on the lands, the developer shall pay to the City the estimated cost as determined by the City Engineer of constructing the  $\pm 57.0$  m of storm sewer required to service the property.
8. The developer shall pay to the City the actual cost of the construction of the new access and the required curb cut, prior to site plan approval and prior to any construction or grading on the lands, the developer shall pay to the City the estimated cost as determined by the City Engineer of constructing the new access/private road and the required curb cut.
9. Prior to any development of the lands, the developer shall pay the frontage charge for the Clair Road East upgrades of \$741.01 per metre for 84.13 metres.
10. That prior to the endorsonation of deeds, the developer pay future costs of the installation of a municipal sidewalk across the frontage of the subject property on Clair Road East.

11. Prior to any development of the lands, the developer shall pay the flat rate charge established by the City per metre of road frontage to be applied to tree planting for the said lands.
12. That the developer 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.
13. 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 the development of the lands.
14. That all telephone and Cable TV service to the lands be underground and the developer shall enter into a servicing agreement with Bell Canada providing for the installation of underground telephone service prior to development of the lands.
15. That the developer shall be responsible for paying a cash-in-lieu of parkland dedication payment for the entire development, in accordance with City of Guelph By-law (1989)-13210, as amended by By-law (1990)-13545, or any successor thereof, prior to the issuance of any permits.
16. That the Developer shall complete a tree conservation and compensation plan for the entire property municipally known as 410 Clair Road East satisfactory to the Director of Community Design and Development Services prior to any grading, tree removal or construction on the site. Furthermore, this plan will focus on providing additional landscaping and buffering between the proposed nursing home and the single-detached housing lots to the north and west of the site.
17. That the developer agrees to plant trees at a minimum tree caliper of 80 mm in size, to achieve the buffering between the nursing home and the abutting single detached dwellings to the satisfaction of the Director of Community Design and Development Services.
18. The developer agrees to plant a tree in the rear yard of each of the new lots for detached dwellings to the satisfaction of the Director of Community Design and Development Services to compensate for tree removal.

19. That the developer agrees to implement the energy and water consumption measures as set out in Schedule 6 of the Planning Report dated October 6, 2008 as part of the development of the nursing home, to the satisfaction of the Director of Community Design and Development Services.
20. That the developer acknowledges and agrees that the 8 dwelling 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 City.
21. Prior to the endorsonation of the deeds, 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 homeowners or households within the project, with such payment based on a cost of one handbook per residential dwelling unit, as determined by the City.
22. The Developer agrees to eliminate the use of any covenants that would restrict the use of clotheslines and that prior to the endorsonation of the deeds for the proposed lots for detached dwellings, the Developer's lawyer shall certify to the Director of Community Design and Development Services that there are no restrictive covenants which restrict the use of clotheslines.
23. That the lands to be severed shall be rezoned to an appropriate zoning category to permit detached dwellings (R.1D) and a nursing home (Specialized R.4-\*\*), prior to the endorsonation of the deeds.
24. The developer 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.
25. That the developer agrees to provide the **Upper Grand District School Board** with a digital file of the plan of subdivision in either ARC/INFO export or DXF format containing the following information: parcel fabric and street network.
26. That the owner shall enter into an agreement with the City, registered on title, satisfactory to the City Solicitor, covering the conditions noted above and to develop the site in accordance with the approved plans and reports.