

**Minutes of Guelph City Council
Held in the Council Chambers, Guelph City Hall on
October 17, 2016 at 6:30 p.m.**

Attendance

Council: Mayor C. Guthrie
Councillor P. Allt
Councillor B. Bell
Councillor C. Billings
Councillor C. Downer
Councillor D. Gibson
Councillor J. Hofland
Councillor M. MacKinnon
Councillor L. Piper
Councillor M. Salisbury
Councillor A. Van Hellemond
Councillor K. Wettstein

Absent: Councillor J. Gordon

Staff: Mr. S. Stewart, Deputy CAO, Infrastructure, Development and Enterprise Services
Mr. T. Salter, General Manager, Planning, Urban Design and Building Services
Ms. M. Aldunate, Manager, Policy Planning and Urban Design
Ms. S. Laughlin, Senior Policy Planner
Mr. D. deGroot, Senior Urban Designer
Ms. A. Watts, Policy Planner
Mr. D. Mast, Associate Solicitor
Ms. T. Agnello, Deputy Clerk
Mr. D. McMahon, Council Committee Coordinator

Open Meeting (6:30 p.m.)

Mayor Guthrie called the meeting to order.

Disclosure of Pecuniary Interest and General Nature Thereof

There were no disclosures.

Council Consent Report

Balance of Council Consent Items

1. Moved by Councillor MacKinnon
Seconded by Councillor Van Hellemond

CON-2016.60 Public Meeting Re: Proposed Ward 5/6 Boundary Adjustment

1. That staff be directed to bring forward a by-law for Council's consideration to implement the Ward 5/6 Ward boundary change at the October 24, 2016 Council meeting.

VOTING IN FAVOUR: Mayor Guthrie, Councillors Allt, Bell, Billings, Downer, Gibson, Hofland, MacKinnon, Piper, Salisbury, Van Hellemond and Wettstein (12)

VOTING AGAINST: (0)

CARRIED

Planning Public Meeting

Mayor Guthrie announced that in accordance with The Planning Act, Council is now in a public meeting for the purpose of informing the public of various planning matters. The Mayor asked if there were any delegations in attendance with respect to the planning matters listed on the agenda.

Statutory Public Meeting Report: City-Initiated Official Plan Amendment (OP1603) and Proposed Revision to the Downtown Zoning By-law Amendment (ZC1614) Specific to 75 Dublin Street North

Stacey Laughlin introduced the Statutory Public Meeting Report: City-initiated Official Plan Amendment (OP1603) and Proposed Revision to the Downtown Zoning By-law Amendment (ZC1614) specific to 75 Dublin Street North. She discussed the history of the subject property and indicated that the proposed amendments to the Zoning By-law were to permit a building height of five stories, 24 parking spaces, zero visitor parking spaces, 19 bicycle parking spaces and a rear yard setback of five metres.

Astrid Clos, planning consultant on behalf of Reiker's Holdings, invited residents to an informal open house hosted by the developer for 75 Dublin Street before outlining each of the proposed zoning changes for the subject property as well as Official Plan policies regarding affordable housing. Ms. Clos also discussed the impact of the development on nearby on-street parking and on the protected view for the Basilica of Our Lady.

Tom Lammer, owner of 75 Dublin Street indicated that in order to make the proposed development financially viable, with 20 affordable units, a fifth storey is required. Furthermore, Mr. Lammer indicated that he believed parking in the downtown was a problem facing all businesses and developments but that future parking plans, such as the Wilson Street Parkade, would help mitigate the problem. Mr. Lammer indicated that the units advertised as not including a parking space would attract tenants who do not own cars.

Jim Fryett, James Fryett Architect Inc, presented and described a shadow study conducted for the proposed development. Mr. Fryett indicated that the shadow from the proposed development would impact the school board solar collectors in the winter months.

Discussion ensued regarding the additional funding required from the City's Affordable Housing Reserve Fund, the formula for the rent of the affordable units and parking requirements.

Melissa Dean indicated the height should be limited to the height of nearby St. Agnes School, a minimum 10 metre rear yard setback should be established, no shading of the school at any time should be permitted and a maximum floor space should be established to ensure compatibility with nearby buildings.

Kelly Dewbury stated that he had concerns for children during and after the construction of the proposed development. He indicated that because of the proximity to Central Public School there was a concern for children's safety due to additional traffic in an area that already lacks parking spaces.

Olivia Dewbury indicated that the construction would be disruptive to students at Central Public School, that the proposed building would cast a shadow over the school yard and that tenants would be looking down on students from the windows.

Joseph Macerollo was concerned about possible effects of high density equipment digging an underground parking garage close to older residential homes. Specifically, Mr. Macerollo requested that street lights be added should the development move forward as a means of ensuring the safety of residents. Mr. Macerollo was also concerned about a lack of notification for neighbours regarding the development.

John Farley, developer of the Market Commons condominium, indicated that he supported the proposed development at 75 Dublin because several similar re-zoning requirements also existed on the site of Market Commons. Furthermore, he indicated that the Market Commons development was operating as intended with no visitor parking spaces, several spots for bicycles and a rear yard setback of zero metres.

Corinne Maloney, a resident of the community surrounding 75 Dublin Street, indicated she does not support the OPA and ZBA changes or the expedited approval process as it is immediately adjacent to a school and designated heritage site. Ms. Maloney showed a series of images with a black box representing the proposed development.

Jennifer Jupp, area resident, stated her concern about the impact of the development on parking as well as the impact of construction on students at Central Public School.

John Parkyn, suggested that the proposed development was twice the foot print, three times the volume and 1.3 times the height of nearby St. Agnes School and that therefore this location is not well suited to the proposed development.

Jesse Ariss indicated that his parents did not receive a written notice in advance of the public meeting despite being located within the circulation area and asked that all future notices regarding the proposal be distributed to 66 Paisley Avenue. Mr. Ariss, concurred with the presentation of Corinne Maloney and that views of the Basilica of Our Lady should be protected.

Brian Campbell, area resident, indicated that he believed the regulations contained in the Official Plan and Zoning By-law are appropriate for the subject property and crafted by experts and that any attempt to overcome these by-laws should be taken with care.

Henry Cimerman, area resident, agreed with previous delegates regarding building height, parking, bicycle parking and the expedited approval process. Mr. Cimerman indicated that the streets near the development were unsuitable for those using mobility aides.

Jayne and Allan Suzuki indicated they agreed with previous delegates, in opposition to the development.

Patrick Martin agreed with previous delegates in opposition to the development; especially regarding the impact on the nearby heritage property.

Dana Bowman indicated he does not support the proposed development because it will exacerbate the existing parking situation and offer a poor location choice for low income seniors due to poor walkability and proximity to transit.

Catherine Killen agreed with previous delegates in opposition to the development and suggested that the zoning for the subject property should be made more restrictive to prevent any shadowing of the yard at Central public School.

Council recessed at 9:30 p.m. and resumed at 9:40 pm.

Susan Watson suggested that international convention (the Venice Charter) indicates that buildings near heritage sites must preserve a setting which is not out of scale and that only a one or two storey building should be permitted on the subject site. Ms. Watson also indicated support for a land swap and expressed concern regarding the expedited approval process.

Claire Jeffrey suggested that the shadow cast by the proposed development would have impacts on the health of children at Central public School by reducing the amount of Vitamin D they receive.

Alan Milliken Heisey, solicitor for the Upper Grand District School Board, suggested that from a planning perspective it's not relevant if there is affordable housing in the proposed development because concerns surrounding shadows, construction impacts and parking remain regardless of who rents the units. Mr. Heisey also asked if a Heritage Impact Study had been completed.

Chris Findlay, area resident, noted that traffic had increased considerably in previous years and is creating safety concerns.

Glynis Logue indicated there was very short notice provided in order to speak at this public meeting and that the current systems to notify the community are inadequate. She expressed concerns related to parking and the appropriateness of the location for seniors.

Tom Dowd indicated he agreed with previous delegates in opposition to the development.

Anne Gajerski-Cauley stated she is upset by the expedited approval process for the proposed development and that the location is not suitable for low income seniors.

Noelle O'Brien indicated she supported the concerns of the previous delegates in opposition to the development.

Catrien Bouwan, area resident, indicated she believes that students require sun at recess and that the proposed development would cast a shadow over the school yard.

Bryan Connell discussed the logistical challenges of using the three stream waste collection system at the subject property if a development with this many units is approved, especially where no boulevard exists.

Lisa Woolgar, parent of child at Central Public School, stated that she supports intensification and infill, but that the proposed location for this development is not a good fit for the project because of shadow and overlook.

Paul Hettinga, area resident, agreed with the points made by previous delegates in opposition of the development.

2. Moved by Councillor Gibson
Seconded by Councillor Billings

That Section 4.13 (a) of the Procedural By-law be invoked to allow Council to continue to 11:59 p.m.

CARRIED

Albert Knox, area resident suggested that a large building on a small property in this location is inappropriate.

Rodney Lanning, area resident, indicated that he believes the elevation of the proposed development to be six stories above grade and that would be two stories above what the Zoning By-law requires. Mr. Lanning also suggested that no windows should be placed on the side of the property overlooking the school.

Luke Wiler, area resident, expressed concern regarding the impact of construction, obstructed view of Catholic Hill, inappropriateness of location and lack of parking.

Deborah Elder, area resident, expressed concerns regarding safety on Dublin St. and indicated she believes parents of children attending Central Public School should all have been notified about the proposed development.

The following registered delegates were not present:

- Tad Malak
- Alan Millar
- Karen Hunter
- Leo Barei
- Alan Simmons
- Jean Turner

Staff was requested to consider the following information in the decision report drafted by staff:

- impediments to more restrictive zoning
- impediments to a land swap
- applicability of the Venice Charter and Official Plan passages on historic sites
- traffic sight lines north and south along Dublin Street
- if a four storey development is permitted as of right
- review of the shadow studies presented by the proponent
- consideration of wind studies along the Cork St. and Dublin St. corridor
- lightning restrictions and impact of lighting on neighbours
- consultation with heritage Guelph and Heritage Canada regarding impact on the adjacent historic site
- storm water runoff after the development is built
- consultation with Hamilton Archdiocese and Hamilton Catholic School Board

- how this development would contribute to the Community Energy Initiative
- effect on the vista from Norfolk looking west up to the Basilica of our Lady
- explanation of why the Official Plan permits four storeys at this location
- impact of further reductions in parking
- review of massing imagery to ensure it is representative
- effect on the view from the five points intersection at Norfolk St. and Paisley St.
- confirmation that the parking provided on similar applications is adequate
- review of the appropriateness of three stream waste collection

3. Moved by Councillor Bell
Seconded by Councillor Allt

That Report 16-80 from Infrastructure, Development and Enterprise Services regarding a City-initiated Official Plan Amendment and a proposed revision to the draft Downtown Zoning By-law Amendment as it pertains to 75 Dublin Street North dated October 17, 2016 be received.

VOTING IN FAVOUR: Mayor Guthrie, Councillors Allt, Bell, Billings, Downer, Gibson, Hofland, MacKinnon, Piper, Salisbury, Van Hellemond and Wettstein (12)

VOTING AGAINST: (0)

CARRIED

Mayor's Announcements

Mayor Guthrie announced that Harry Dunning, Manager, Emergency Services, had passed away.

The following ward meetings were announced:

Ward 5; St. Mike's Catholic School, Wednesday, October 19 at 7:00 p.m.

Wards 2 & 3; City Hall, Tuesday, October 25 at 7:00 p.m.

The following mayoral town halls:

City Hall; Tuesday, November 15 at 7:00 p.m.

Facebook Live; Tuesday, November 22 at 7:00 p.m.

West End Community Centre; Tuesday, November 29 at 7:00 p.m.

Adjournment (11:33 p.m.)

4. Moved by Councillor Bell
Seconded by Councillor Gibson

That the meeting be adjourned.

Carried

Minutes to be confirmed on November 28, 2016.

Mayor Guthrie

Tina Agnello – Deputy Clerk